



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2414

DATE SCANNED 11-18-13

SCANNER NO. 2

SCAN OPERATOR AmD

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2011 MAR 31 A 10:27

March 30, 2011

MEMORANDUM

SENSITIVE

TO: The Commission

THROUGH: Alec Palmer *AP*
Acting Staff Director

FROM: Patricia Carmona *PC*
Chief Compliance Officer

Debbie Chacona *DC*
Assistant Staff Director
Reports Analysis Division

BY: Jodi Winship/Sari Pickeral *JP*
Compliance Branch

SUBJECT: Reason To Believe Recommendation – 2010 Year-End Report for the
Administrative Fine Program

Attached is a list of political committees and their treasurers who failed to file the 2010 Year-End Report in accordance with 2 U.S.C. 434(a). The Year-End Report was due on January 31, 2011.

The committees listed in the attached RTB Circulation Report either failed to file the report, filed the report no more than thirty (30) days after the due date (considered a late filed report), or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 CFR 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

Recommendation

1. Find reason to believe that all other political committees and their treasurers listed on the RTB Circulation Report violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

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Federal Election Commission
Reason to Believe Circulation Report
2010 YEAR-END Not Election Sensitive 01/31/2011 H_S_P_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2397	C00397083	AMERICAN TELESERVICES ASSOCIATION PAC		TIMOTHY SEARCY	\$171,491	0	2/17/2011	17	\$6,454	\$140
2398	C00413856	ASSOCIATIONS INC. PAC/ASSOCIA PAC		NANCY CUSHMAN	\$100,944	0	3/2/2011	30	\$13,715	\$260
2399	C00434324	BEN GRABER FOR CONGRESS	GRABER, BENJAMIN	BENJAMIN GRABER	\$146,008	0	2/27/2011	27	\$9,600	\$190
2400	C00118828	BOILERMAKERS LOCAL 85 FEDERAL POLITICAL ACTION COMMITTEE		FRED E. KEITH JR.	\$108,428	0	2/28/2011	28	\$874	\$165
2401	C00458349	BURRIS FOR SENATE	BURRIS, ROLAND W	RAYMOND DAVIS	\$162,061	0	2/7/2011	7	\$19,455	\$145

2403	C00486662	CHET D TRAYLOR FOR US SENATE CAMPAIGN	TRAYLOR, CHET D	LARRY W. PICKETT	\$191,340	0		Not Filed	\$95,670 (est)	\$3,850
2404	C00326066	CIRO RODRIGUEZ FOR CONGRESS	RODRIGUEZ, CIRO D.	LUIS R. VERA	\$3,294,855	0	2/13/2011	13	\$16,250	\$175
2405	C00467423	CITIZENS FOR CHRIS GEISSLER	GEISSLER, CHRISTOPHER TODD	MICHAEL JORUDD	\$109,360	0		Not Filed	\$21,872 (est)	\$550
2406	C00486902	CITIZENS FOR JOHN HAGER	HAGER, JOHN VICTOR	ANDREW A. HAGER	\$210,805	0		Not Filed	\$70,268 (est)	\$2,970
2407	C00471482	CODAY FOR US SENATE	CODAY, ARTHUR JR MD	ARTHUR CODAY, JR. MD	\$168,127	0		Not Filed	\$33,625 (est)	\$990
2408	C00476879	COMMITTEE FOR BARBARA OLSCHNER FOR CONGRESS	OLSCHNER, BARBARA F	STEVEN "BO" SMITH	\$122,703	0		Not Filed	\$30,676 (est)	\$990
2409	C00462531	COMMITTEE TO ELECT DR GREG RABIDOUX	RABIDOUX, GREG ROBERT DR	KIMBERLEE E. SMITH	\$158,153	0		Not Filed	\$3,119	\$250
2410	C00466557	COMMITTEE TO ELECT JEAN KURTIS SCHODORF FOR CONGRESS	SCHODORF, JEAN KURTIS	MARILYN CHAPMAN HANSEN	\$225,121	0		Not Filed	\$37,520 (est)	\$990
2411	C00485581	COMMITTEE TO ELECT JUAN N BABAUTA FOR CONGRESS	BABAUTA, JUAN NEKAI	SHELLY ANN GIMA TUDELA	\$102,865	0		Not Filed	\$25,716 (est)	\$990
2412	C00484691	COMMITTEE TO ELECT GLENN WILSON FOR US CONGRESS	WILSON, GLENN A	DEBORAH K. HAMILTON	\$245,513	0		Not Filed	\$61,378 (est)	\$2,970
2413	C00304832	CONSTELLATION BRANDS INC POLITICAL ACTION COMMITTEE		PERRY HUMPHREY	\$434,509	0		Not Filed	\$62,073 (est)	\$2,970
2414	C00460766	CONWAY FOR SENATE	CONWAY, JOHN WILLIAM (JACK)	R. WAYNE STRATTON	\$12,248,242	0	3/10/2011	Not Filed	\$102,632	\$4,950
2415	C00357640	CORINTHIAN COLLEGES INC PAC		PAUL DE GIUSTI	\$174,077	0		Not Filed	\$14,506 (est)	\$550

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AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2416	C00465773	DEON LONG FOR CONGRESS	LONG, OMETRIAS DEON	DEON LONG	\$252,205	1		Not Filed	\$84,068 (est)	\$4,812
2417	C00448241	DOUG TUDOR FOR CONGRESS	TUDOR, DOUGLAS DAVID	DOUGLAS D. TUDOR	\$103,206	3		Not Filed	\$12,901 (est)	\$962
2418	C00482588	DOUGHERTY SENATE CAMPAIGN COMMITTEE	DOUGHERTY, JOHN E III	DR. JODHA KHALSA	\$320,109	0	2/18/2011	18	\$9,744	\$145
2419	C00453498	EARL HENRY SHOLLEY FOR CONGRESS	SHOLLEY, EARL HENRY	RONALD A. GENGO	\$168,588	0		Not Filed	\$21,071 (est)	\$550
2420	C00468894	ERIC WNUCK 2010	WNUCK, ERIC	ERIC WNUCK	\$434,191	1		Not Filed	\$108,548 (est)	\$6,187
2421	C00487231	EUGENE GREEN FOR CONGRESS COMMITTEE	GREEN, EUGENE J JR	EUGENE V. M. GREEN	\$135,872	0		Not Filed	\$67,936 (est)	\$2,970
2422	C00469247	FERRE 2010	FERRE, MAURICE	ELIZABETH M. TETRAULT	\$569,529	0	2/7/2011	7	\$11,994	\$145

2424	C00404350	FRESNO COUNTY DEMOCRATIC WOMEN'S CLUB/DEMOCRATS IN ACTION		HELEN WILSON	\$106,303	0	2/28/2011	28	\$8,669	\$195
2425	C00477646	FRIENDS OF DAVID MADEIRA	MADEIRA, DAVID JAMES	MICHAEL LACEY	\$120,785	0		Not Filed	\$30,196 (est)	\$990
2426	C00481184	FRIENDS OF ROSS BIELING	BIELING, ROSS PARKER	ROSS PARKER BIELING	\$385,138	0		Not Filed	\$128,379 (est)	\$4,950
2427	C00483289	HEALY FOR NY	HEALY, TIMOTHY J	JULIAN H. GINGOLD	\$241,704	0	2/25/2011	25	\$23,094	\$235
2428	C00465856	HENDRY FOR CONGRESS	HENDRY, EDDIE	JOHN NESMITH	\$137,863	0		Not Filed	\$22,977 (est)	\$550
2429	C00483115	HERMANATOR PAC; THE		SCOTT D. TOOMEY	\$441,646	0	2/9/2011	9	\$112,779	\$1,785
2430	C00459412	IRAQ VETERANS FOR CONGRESS POLITICAL ACTION COMMITTEE		CHRIS COVUCCI	\$1,632,238	0	2/24/2011	24	\$65,384	\$2,310
2431	C00478057	JAMES MILANO FOR CONGRESS	MILANO, JAMES	PATRICIA A. FRIEDMAN	\$296,381	0	2/25/2011	25	\$3,385	\$150
2432	C00460642	JIM PICCILLO FOR CONGRESS	PICCILLO, JAMES JOHN	SANDI KEEBLE	\$296,266	0		Not Filed	\$32,918 (est)	\$990
2433	C00484303	JOHNSON FOR CONGRESS	JOHNSON, HARRY CLAUD	HARRY JOHNSON	\$121,900	0		Not Filed	\$60,950 (est)	\$2,970
2434	C00482893	JOYCE JOHNSON FOR CONGRESS 2010	JOHNSON, JOYCE STANLEY	MYRNA PHILLIPS OAKLEY	\$106,799	0		Not Filed	\$35,600 (est)	\$990
2435	C00459420	KEVIN BURNS 4 US SENATE	BURNS, KEVIN A	ROB FLINT	\$189,847	0		Not Filed	\$31,641 (est)	\$990
2436	C00477703	KEVIN POWELL FOR CONGRESS 2010	POWELL, KEVIN	LLOYD COLONA	\$348,015	0		Not Filed	\$116,338 (est)	\$4,950
2437	C00469189	KOLOSSO FOR CONGRESS ELECTION COMMITTEE	KOLOSSO, TODD P	DANIEL KYLE	\$351,090	1		Not Filed	\$58,515 (est)	\$3,712
2438	C00469791	KUIPERS FOR CONGRESS	KUIPERS, WAYNE	TODD LAMBERS	\$464,446	0		Not Filed	\$92,889 (est)	\$3,850
2439	C00463273	LOWRY FOR CONGRESS	LOWRY, ROBERT PAUL	RUTH BELL	\$165,549	0		Not Filed	\$27,592 (est)	\$990

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AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2440	C0046468	LYNCH FOR CONGRESS	LYNCH, EDWARD J	EDWARD LYNCH	\$260,513	3		Not Filed	\$32,564 (est)	\$1,732
2441	C00208322	MANAGEMENT AND TRAINING CORPORATION POLITICAL ACTION COMMITTEE		LYLE J. PARRY	\$132,878	0		Not Filed	\$18,983 (est)	\$550
2442	C00480038	MARVIN SCOTT FOR CONGRESS 2010	SCOTT, MARVIN B	FRANK L. MUZZILLO	\$457,006	0	3/8/2011	Not Filed	\$18,757	\$550
2443	C00473959	MATT CAMPBELL FOR CONGRESS	CAMPBELL, MATTHEW	MATTHEW CAMPBELL	\$544,842	1		Not Filed	\$90,807 (est)	\$4,812
2444	C00475095	MATTHEW BURKE FOR CONGRESS	BURKE, MATTHEW	JENNIFER BURKE	\$100,517	0	3/18/2011	Not Filed	\$549	\$250
2445	C00432948	MCGOFF FOR CONGRESS	MCGOFF, JOHN P	MARJORIE O'LAUGHLIN	\$557,306	0		Not Filed	\$69,663 (est)	\$2,970
2446	C00462804	MIGUEL ORTIZ FOR CONGRESS	ORTIZ, MIGUEL ANTONIO	LUIS H. VERA	\$186,923	0	2/7/2011	7	\$31,662	\$340
2447	C00483925	MIKE THURMOND FOR US SENATE 2010	THURMOND, MICHAEL LAMAR	MATTHEW WARE	\$673,081	0	3/1/2011	29	\$11,032	\$255
2448	C00483388	MITCHELL FOR CONGRESS	MITCHELL, JOHN M	JOHN LINDLEY, III	\$107,165	0		Not Filed	\$35,722 (est)	\$990
2449	C00463406	MORGAN FOR CONGRESS	MORGAN, VINCENT SCOTT	HON. RD SNYDEN	\$157,457	1		Not Filed	\$31,491 (est)	\$1,237
2450	C00475806	PAULINA FOR CONGRESS	MORRIS, PAULINA VASQUEZ	LISA GRAHAM KEEGAN	\$623,483	0		Not Filed	\$155,871 (est)	\$6,050
2451	C00461343	PHILLIP BRUTUS FOR CONGRESS	BRUTUS, PHILLIP J	CAMELIA SIGUINEAU	\$151,182	0		Not Filed	\$30,236 (est)	\$990
2452	C00469817	PLUMMER FOR CONGRESS	PLUMMER, GLENN RODNEY	WILBERT SEARS	\$108,514	0		Not Filed	\$27,129 (est)	\$990
2453	C00467027	POLLAK FOR CONGRESS	POLLAK, JOEL BARRY	NEIL JOHNSON	\$1,380,339	0		Not Filed	\$172,542 (est)	\$6,050
2454	C00467886	RATOWITZ FOR CONGRESS	RATOWITZ, DAVID	WAYNE HEUSEL	\$129,832	0		Not Filed	\$16,229 (est)	\$550
2455	C00473595	RICHARD LAKE FOR CONGRESS	LAKE, RICHARD DAVID GEORGE	TERRANCE BRADLEY	\$101,188	0		Not Filed	\$33,729 (est)	\$990
2456	C00474700	ROBBIE WILLS FOR CONGRESS	WILLS, ROBERT DALE JR	JERRY ADAMS	\$1,264,153	0		Not Filed	\$252,831 (est)	\$8,800
2457	C00462309	RUTH MCCLUNG FOR CONGRESS	MCCLUNG, RUTH CRAWFORD	ANNE LOFTFIELD	\$1,421,439	0	2/8/2011	8	\$12,453	\$150
2458	C00014092	SAN BERNARDINO COUNTY REPUBLICAN CENTRAL COMMITTEE-FEDERAL		KIRK LARSON	\$116,381	0	2/18/2011	18	\$344	\$115
2459	C00468199	SCHIFF FOR SENATE	SCHIFF, PETER DAVID	ANDREW SCHIFF	\$6,895,439	0		Not Filed	\$1,149,240 (est)	\$12,000
2460	C00461038	SMOOT FOR CONGRESS	SMOOT, SHEILA	ADRIENNE ELLISON	\$485,985	0		Not Filed	\$60,748 (est)	\$2,970
2461	C00477471	SPIKE MAYNARD FOR CONGRESS	MAYNARD, ELLIOTT EDWARD	ROBERT EDWARD RYAN	\$2,045,859	0		Not Filed	\$340,977 (est)	\$8,800
2462	C00473603	STEVE CLARK FOR CONGRESS	CLARK, STEVE	RICK DIRKSE	\$1,236,249	1		Not Filed	\$309,062 (est)	\$11,000

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AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
2463	C00467761	SUE LOWDEN FOR U S SENATE	LOWDEN, SUE	BOB BEERS	\$8,110,396	0	3/3/2011	Not Filed	\$41,529	\$990
2464	C00475772	THE COMMITTEE TO ELECT DINO LAVERGHETTA	LAVERGHETTA, DINO	ROSE LAVERGHETTA	\$205,205	0		Not Filed	\$34,201 (est)	\$990
2465	C00475038	THOMAS C CASTELLANO CAMPAIGN FUND	CASTELLANO, THOMAS C	MARK A. GARCIA	\$102,513	0		Not Filed	\$20,503 (est)	\$550
2466	C00465336	TOM WESLEY FOR US CONGRESS	WESLEY, TOM	PAUL M. YANOVITCH	\$281,751	0		Not Filed	\$35,219 (est)	\$990
2467	C00469304	TOM WIENS FOR US SENATE INC	WIENS, THOMAS J	FRANK SHAW	\$3,133,345	0		Not Filed	\$783,336 (est)	\$11,000
2468	C00335091	TRANSPORTATION INTERMEDIARIES ASSOCIATION'S TIAPAC		ROBERT A. VOLTMANN	\$107,050	0	2/24/2011	24	\$4,300	\$145
2469	C00381699	USINPAC		MILES C. HOGE	\$159,433	0		Not Filed	\$39,858 (est)	\$990

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
 Reason To Believe Recommendation - 2010)
 Year-End Report for the Administrative)
 Fine Program:)
 SUE LOWDEN FOR U S SENATE, and) AF# 2463
 BOB BEERS as treasurer;)
 ASSOCIATIONS INC. PAC/ASSOCIA) AF# 2398
 PAC, and CUSHMAN, NANCY as)
 treasurer;)
 MIKE THURMOND FOR US SENATE) AF# 2447
 2010, and MATTHEW WARE as treasurer;)
 BOILERMAKERS LOCAL 85 FEDERAL) AF# 2400
 POLITICAL ACTION COMMITTEE, and)
 FRED E KEITH JR as treasurer;)
 FRESNO COUNTY DEMOCRATIC) AF# 2424
 WOMEN'S CLUB/DEMOCRATS IN)
 ACTION, and HELEN WILSON as)
 treasurer;)
 BEN GRABER FOR CONGRESS, and) AF# 2399
 BENJAMIN GRABER as treasurer;)
 HEALY FOR NY, and JULIAN H) AF# 2427
 GINGOLD as treasurer;)
 JAMES MILANO FOR CONGRESS, and) AF# 2431
 PATRICIA A FRIEDMAN as treasurer;)
 IRAQ VETERANS FOR CONGRESS) AF# 2430
 POLITICAL ACTION COMMITTEE, and)
 CHRIS COVUCCI as treasurer;)
 TRANSPORTATION INTERMEDIARIES) AF# 2468
 ASSOCIATION'S TIAPAC, and ROBERT)
 A VOLTMANN as treasurer;)
 DOUGHERTY SENATE CAMPAIGN) AF# 2418
 COMMITTEE, and DR JODHA KHALSA)
 as treasurer;)
 SAN BERNARDINO COUNTY) AF# 2458
 REPUBLICAN CENTRAL COMMITTEE-)
 FEDERAL, and LARSON, KIRK as)
 treasurer;)

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AMERICAN TELESERVICES) AF# 2397
ASSOCIATION PAC, and SEARCY, TIM)
MR. as treasurer;)
CIRO RODRIGUEZ FOR CONGRESS,) AF# 2404
and VERA, LUIS R. MR. as treasurer;)
HERMANATOR PAC; THE, and SCOTT) AF# 2429
D TOOMEY as treasurer;)
RUTH MCCLUNG FOR CONGRESS, and) AF# 2457
ANNE LOFTFIELD as treasurer;)
BURRIS FOR SENATE, and RAYMOND) AF# 2401
DAVIS as treasurer;)
FBRRE 2010, and ELIZABETH M) AF# 2422
TETREAULT as treasurer;)
MIGUEL ORTIZ FOR CONGRESS, and) AF# 2446
LUIS H VERA as treasurer;)

CHET D TRAYLOR FOR US SENATE) AF# 2403
CAMPAIGN, and LARRY W PICKETT as)
treasurer;)
CITIZENS FOR CHRIS GEISSLER, and) AF# 2405
MICHAEL JORUDD as treasurer;)
CITIZENS FOR JOHN HAGER, and) AF# 2406
ANDREW A HAGER as treasurer;)
CODAY FOR US SENATE, and ARTHUR) AF# 2407
CODAY JR MD as treasurer;)
COMMITTEE FOR BARBARA) AF# 2408
OLSCHNER FOR CONGRESS, and)
STEVEN "BO" SMITH as treasurer;)
COMMITTEE TO ELECT DR GREG) AF# 2409
RABIDOUX, and KIMBERLEE E SMITH)
as treasurer;)
COMMITTEE TO ELECT JEAN KURTIS) AF# 2410
SCHODORF FOR CONGRESS, and)
MARILYN CHAPMAN HANSEN as)
treasurer;)
COMMITTEE TO ELECT JUAN N) AF# 2411
BABAUTA FOR CONGRESS, and)
SHELLY ANN GIMA TUDELA as)
treasurer;)
COMMITTEE TO ELECT GLENN) AF# 2412
WILSON FOR US CONGRESS, and)
DEBORAH K HAMILTON as treasurer;)

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CONSTELLATION BRANDS INC)	AF# 2413
POLITICAL ACTION COMMITTEE, and)	
PERRY HUMPHREY as treasurer;)	
CONWAY FOR SENATE, and R WAYNE	)	AF# 2414
STRATTON as treasurer;)	
CORINTHIAN COLLEGES INC PAC, and	)	AF# 2415
DE GIUSTI, PAUL as treasurer;)	
DEON LONG FOR CONGRESS, and	)	AF# 2416
DEON LONG as treasurer;)	
DOUG TUDOR FOR CONGRESS, and	)	AF# 2417
DOUGLAS D. TUDOR as treasurer;)	
EARL HENRY SHOLLEY FOR	)	AF# 2419
CONGRESS, and RONALD A GENGO as)	
treasurer;)	
ERIC WNUCK 2010, and ERIC WNUCK	)	AF# 2420
as treasurer;)	
EUGENE GREEN FOR CONGRESS	)	AF# 2421
COMMITTEE, and EUGENE V M GREEN)	
as treasurer;)	

FRIENDS OF DAVID MADEIRA, and	)	AF# 2425
MICHAEL LACEY as treasurer;)	
FRIENDS OF ROSS BIELING, and	)	AF# 2426
BIELING, ROSS PARKER as treasurer;)	
HENDRY FOR CONGRESS, and JOHN	)	AF# 2428
NESMITH as treasurer;)	
JIM PICCILLO FOR CONGRESS, and	)	AF# 2432
SANDI KEEBLE as treasurer;)	
JOHNSON FOR CONGRESS, and	)	AF# 2433
HARRY JOHNSON as treasurer;)	
JOYCE JOHNSON FOR CONGRESS	)	AF# 2434
2010, and MYRNA PHILLIPS OAKLEY)	
as treasurer;)	
KEVIN BURNS 4 US SENATE, and ROB	)	AF# 2435
FLINT as treasurer;)	
KEVIN POWELL FOR CONGRESS 2010,	)	AF# 2436
and LLOYD COLONA as treasurer;)	
KOLOSSO FOR CONGRESS ELECTION	)	AF# 2437
COMMITTEE, and DANIEL KYLE as)	
treasurer;)	
KUIPERS FOR CONGRESS, and TODD)	AF# 2438
LAMBERS as treasurer;)	

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LOWRY FOR CONGRESS, and BELL,) AF# 2439
RUTH as treasurer;)
LYNCH FOR CONGRESS, and EDWARD) AF# 2440
LYNCH as treasurer;)
MANAGEMENT AND TRAINING) AF# 2441
CORPORATION POLITICAL ACTION)
COMMITTEE, and LYLE J PARRY as)
treasurer;)
MARVIN SCOTT FOR CONGRESS 2010,) AF# 2442
and FRANK L MUZZILLO as treasurer;)
MATT CAMPBELL FOR CONGRESS,) AF# 2443
and MATTHEW CAMBBELL as treasurer;)
MATTHEW BURKE FOR CONGRESS,) AF# 2444
and BURKE, JENNIFER as treasurer;)
MCGOFF FOR CONGRESS, and) AF# 2445
O'LAUGHLIN, MARJORIE as treasurer;)
MITCHELL FOR CONGRESS, and JOHN) AF# 2448
LINDLEY III as treasurer;)
MORGAN FOR CONGRESS, and) AF# 2449
SNYDEN, RD HON. as treasurer;)
PAULINA FOR CONGRESS, and LISA) AF# 2450
GRAHAM KEEGAN as treasurer;)
PHILLIP BRUTUS FOR CONGRESS, and) AF# 2451
CAMELIA SIGUINEAU as treasurer;)
PLUMMER FOR CONGRESS, and) AF# 2452
WILBERT SEARS as treasurer;)
POLLAK FOR CONGRESS, and) AF# 2453
JOHNSON, NEIL as treasurer;)
RATOWITZ FOR CONGRESS, and) AF# 2454
WAYNE HEUSEL as treasurer;)
RICHARD LAKE FOR CONGRESS, and) AF# 2455
BRADLEY, TERRANCE as treasurer;)
ROBBIE WILLS FOR CONGRESS, and) AF# 2456
JERRY ADAMS as treasurer;)
SCHIFF FOR SENATE, and ANDREW) AF# 2459
SCHIFF as treasurer;)
SMOOT FOR CONGRESS, and ELLISON,) AF# 2460
ADRIENNE as treasurer;)
SPIKE MAYNARD FOR CONGRESS, and) AF# 2461
ROBERT EDWARD RYAN as treasurer;)
STEVE CLARK FOR CONGRESS, and) AF# 2462
RICK DIRKSE as treasurer;)
THE COMMITTEE TO ELECT DINO) AF# 2464
LAVERGHETTA, and LAVERGHETTA,)
ROSE as treasurer;)

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THOMAS C CASTELLANO CAMPAIGN) AF# 2465
FUND, and MARK A GARCIA as)
treasurer;)
TOM WESLEY FOR US CONGRESS, and) AF# 2466
PAUL M YANOVITCH as treasurer;)
TOM WIENS FOR US SENATE INC, and) AF# 2467
FRANK SHAW as treasurer;)
USINPAC, and HOGE, MILES C. MR. as) AF# 2469
treasurer;)

CERTIFICATION

I, Shelley E. Garr, Deputy Secretary of the Federal Election Commission, do hereby certify that on April 01, 2011 the Commission took the following actions on the Reason To Believe Recommendation - 2010 Year-End Report for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated March 30, 2011, on the following committees:

AF#2463 Decided by a vote of 6-0 to: (1) find reason to believe that SUE LOWDEN FOR U S SENATE, and BOB BEERS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2398 Decided by a vote of 6-0 to: (1) find reason to believe that ASSOCIATIONS INC. PAC/ASSOCIA PAC, and CUSHMAN, NANCY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2447 Decided by a vote of 6-0 to: (1) find reason to believe that MIKE THURMOND FOR US SENATE 2010, and MATTHEW WARE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2400 Decided by a vote of 6-0 to: (1) find reason to believe that BOILERMAKERS LOCAL 85 FEDERAL POLITICAL ACTION COMMITTEE, and FRED E KEITH JR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2424 Decided by a vote of 6-0 to: (1) find reason to believe that FRESNO COUNTY DEMOCRATIC WOMEN'S CLUB/DEMOCRATS IN ACTION, and HELEN WILSON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2399 Decided by a vote of 6-0 to: (1) find reason to believe that BEN GRABER FOR CONGRESS, and BENJAMIN GRABER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2427 Decided by a vote of 6-0 to: (1) find reason to believe that HEALY FOR NY, and JULIAN H GENGOLD as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2431 Decided by a vote of 6-0 to: (1) find reason to believe that JAMES MILANO FOR CONGRESS, and PATRICIA A FRIEDMAN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2430 Decided by a vote of 6-0 to: (1) find reason to believe that IRAQ VETERANS FOR CONGRESS POLITICAL ACTION COMMITTEE, and CHRIS COVUCCI as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2468 Decided by a vote of 6-0 to: (1) find reason to believe that TRANSPORTATION INTERMEDIARIES ASSOCIATION'S TIAPAC, and ROBERT A VOLTSMANN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report;

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(2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2418 Decided by a vote of 6-0 to: (1) find reason to believe that DOUGHERTY SENATE CAMPAIGN COMMITTEE, and DR JODHA KHALSA as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2458 Decided by a vote of 6-0 to: (1) find reason to believe that SAN BERNARDINO COUNTY REPUBLICAN CENTRAL COMMITTEE-FEDERAL, and LARSON, KIRK as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2397 Decided by a vote of 6-0 to: (1) find reason to believe that AMERICAN TELESERVICES ASSOCIATION PAC, and SEARCY, TIM MR. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2404 Decided by a vote of 6-0 to: (1) find reason to believe that CIRO RODRIGUEZ FOR CONGRESS, and VERA, LUIS R. MR. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2429 Decided by a vote of 6-0 to: (1) find reason to believe that HERMANATOR PAC; THE, and SCOTT D TOOMEY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2457 Decided by a vote of 6-0 to: (1) find reason to believe that RUTH MCCLUNG FOR CONGRESS, and ANNE LOFTFIELD as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2401 Decided by a vote of 6-0 to: (1) find reason to believe that BURRIS FOR SENATE, and RAYMOND DAVIS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2422 Decided by a vote of 6-0 to: (1) find reason to believe that FERRE 2010, and ELIZABETH M TETREAULT as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2446 Decided by a vote of 6-0 to: (1) find reason to believe that MIGUEL ORTIZ FOR CONGRESS, and LUIS H VERA as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2403 Decided by a vote of 6-0 to: (1) find reason to believe that CHET D TRAYLOR FOR US SENATE CAMPAIGN, and LARRY W PICKETT as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2405 Decided by a vote of 6-0 to: (1) find reason to believe that CITIZENS FOR CHRIS GEISSLER, and MICHAEL JORUDD as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2406 Decided by a vote of 6-0 to: (1) find reason to believe that CITIZENS FOR JOHN HAGER, and ANDREW A HAGER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2407 Decided by a vote of 6-0 to: (1) find reason to believe that CODAY FOR US SENATE, and ARTHUR CODAY JR MD as treasurer violated 2 U.S.C. 434(a) and

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make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2408 Decided by a vote of 6-0 to: (1) find reason to believe that COMMITTEE FOR BARBARA OLSCHNER FOR CONGRESS, and STEVEN "BO" SMITH as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2409 Decided by a vote of 6-0 to: (1) find reason to believe that COMMITTEE TO ELECT DR GREG RABIDOUX, and KIMBERLEE E SMITH as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2410 Decided by a vote of 6-0 to: (1) find reason to believe that COMMITTEE TO ELECT JEAN KURTIS SCHODORF FOR CONGRESS, and MARILYN CHAPMAN HANSEN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2411 Decided by a vote of 6-0 to: (1) find reason to believe that COMMITTEE TO ELECT JUAN N BABAUTA FOR CONGRESS, and SHELLY ANN GIMA TUDELA as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2412 Decided by a vote of 6-0 to: (1) find reason to believe that COMMITTEE TO ELECT GLENN WILSON FOR US CONGRESS, and DEBORAH K HAMILTON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2413 Decided by a vote of 6-0 to: (1) find reason to believe that CONSTELLATION BRANDS INC POLITICAL ACTION COMMITTEE, and PERRY HUMPHREY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2414 Decided by a vote of 6-0 to: (1) find reason to believe that CONWAY FOR SENATE, and R WAYNE STRATTON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2415 Decided by a vote of 6-0 to: (1) find reason to believe that CORINTHIAN COLLEGES INC PAC, and DE GIUSTI, PAUL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2416 Decided by a vote of 6-0 to: (1) find reason to believe that DEON LONG FOR CONGRESS, and DEON LONG as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2417 Decided by a vote of 6-0 to: (1) find reason to believe that DOUG TUDOR FOR CONGRESS, and DOUGLAS D. TUDOR as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2419 Decided by a vote of 6-0 to: (1) find reason to believe that EARL HENRY SHOLLEY FOR CONGRESS, and RONALD A GENGO as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2420 Decided by a vote of 6-0 to: (1) find reason to believe that ERIC WNUCK 2010, and ERIC WNUCK as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2421 Decided by a vote of 6-0 to: (1) find reason to believe that EUGENE GREEN FOR CONGRESS COMMITTEE, and EUGENE V M GREEN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2425 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS OF DAVID MADEIRA, and MICHAEL LACEY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2426 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS OF ROSS BIELING, and BIELING, ROSS PARKER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2428 Decided by a vote of 6-0 to: (1) find reason to believe that HENDRY FOR CONGRESS, and JOHN NESMITH as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2432 Decided by a vote of 6-0 to: (1) find reason to believe that JIM PICCILLO FOR CONGRESS, and SANDI KEEBLE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2433 Decided by a vote of 6-0 to: (1) find reason to believe that JOHNSON FOR CONGRESS, and HARRY JOHNSON as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2434 Decided by a vote of 6-0 to: (1) find reason to believe that JOYCE JOHNSON FOR CONGRESS 2010, and MYRNA PHILLIPS OAKLEY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2435 Decided by a vote of 6-0 to: (1) find reason to believe that KEVIN BURNS 4 US SENATE, and ROB FLINT as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2436 Decided by a vote of 6-0 to: (1) find reason to believe that KEVIN POWELL FOR CONGRESS 2010, and LLOYD COLONA as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2437 Decided by a vote of 6-0 to: (1) find reason to believe that KOLOSSO FOR CONGRESS ELECTION COMMITTEE, and DANIEL KYLE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2438 Decided by a vote of 6-0 to: (1) find reason to believe that KUIPERS FOR CONGRESS, and TODD LAMBERS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2439 Decided by a vote of 6-0 to: (1) find reason to believe that LOWRY FOR CONGRESS, and BELL, RUTH as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2440 Decided by a vote of 6-0 to: (1) find reason to believe that LYNCH FOR CONGRESS, and EDWARD LYNCH as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2441 Decided by a vote of 6-0 to: (1) find reason to believe that MANAGEMENT AND TRAINING CORPORATION POLITICAL ACTION COMMITTEE, and LYLE J PARRY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2442 Decided by a vote of 6-0 to: (1) find reason to believe that MARVIN SCOTT FOR CONGRESS 2010, and FRANK L MUZZILLO as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2443 Decided by a vote of 6-0 to: (1) find reason to believe that MATT CAMPBELL FOR CONGRESS, and MATTHEW CAMPBELL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2444 Decided by a vote of 6-0 to: (1) find reason to believe that MATTHEW BURKE FOR CONGRESS, and BURKE, JENNIFER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2445 Decided by a vote of 6-0 to: (1) find reason to believe that MCGOFF FOR CONGRESS, and O'LAUGHLIN, MARJORIE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2448 Decided by a vote of 6-0 to: (1) find reason to believe that MITCHELL FOR CONGRESS, and JOHN LINDLEY III as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2449 Decided by a vote of 6-0 to: (1) find reason to believe that MORGAN FOR CONGRESS, and SNYDEN, RD HON. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2450 Decided by a vote of 6-0 to: (1) find reason to believe that PAULINA FOR CONGRESS, and LISA GRAHAM KEEGAN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2451 Decided by a vote of 6-0 to: (1) find reason to believe that PHILLIP BRUTUS FOR CONGRESS, and CAMELIA SIGUINEAU as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2452 Decided by a vote of 6-0 to: (1) find reason to believe that PLUMMER FOR CONGRESS, and WILBERT SEARS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2453 Decided by a vote of 6-0 to: (1) find reason to believe that POLIAK FOR CONGRESS, and JOHNSON, NEIL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2454 Decided by a vote of 6-0 to: (1) find reason to believe that RATOWITZ FOR CONGRESS, and WAYNE HEUSEL as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2455 Decided by a vote of 6-0 to: (1) find reason to believe that RICHARD LAKE FOR CONGRESS, and BRADLEY, TERRANCE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2456 Decided by a vote of 6-0 to: (1) find reason to believe that ROBBIE WILLS FOR CONGRESS, and JERRY ADAMS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2459 Decided by a vote of 6-0 to: (1) find reason to believe that SCHIFF FOR SENATE, and ANDREW SCHIFF as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2460 Decided by a vote of 6-0 to: (1) find reason to believe that SMOOT FOR CONGRESS, and ELLISON, ADRIENNE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2461 Decided by a vote of 6-0 to: (1) find reason to believe that SPIKE MAYNARD FOR CONGRESS, and ROBERT EDWARD RYAN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2462 Decided by a vote of 6-0 to: (1) find reason to believe that STEVE CLARK FOR CONGRESS, and RICK DIRKSE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2464 Decided by a vote of 6-0 to: (1) find reason to believe that THE COMMITTEE TO ELECT DINO LAVERGHETTA, and LAVERGHETTA, ROSE as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2465 Decided by a vote of 6-0 to: (1) find reason to believe that THOMAS C CASTELLANO CAMPAIGN FUND, and MARK A GARCIA as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2466 Decided by a vote of 6-0 to: (1) find reason to believe that TOM WESLEY FOR US CONGRESS, and PAUL M YANOVITCH as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2467 Decided by a vote of 6-0 to: (1) find reason to believe that TOM WIENS FOR US SENATE INC, and FRANK SHAW as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2469 Decided by a vote of 6-0 to: (1) find reason to believe that USINPAC, and HOGE, MILES C. MR. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

April 4, 2011
Date

Shelley E. Garr
Shelley E. Garr
Deputy Secretary

13092693365



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 4, 2011

R. Wayne Stratton, in official capacity as Treasurer
Conway for Senate
P.O. Box 6168
Louisville, KY 40206

C00460766
AF#: 2414

Dear Mr. Stratton:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a Year End Report of Receipts and Disbursements every calendar year. This report, covering the period through December 31, 2010, was due no later than January 31, 2011. 2 U.S.C. § 434(a). This report, covering the period through December 31st, shall be filed no later than January 31st. 2 U.S.C. § 434(a). Because records at the Federal Election Commission ("FEC") indicate that this report was not filed within thirty (30) days of the due date, it is considered not filed for the purpose of calculating the civil money penalty.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 2 U.S.C. § 434(a). 2 U.S.C. § 437g(a)(4). On April 1, 2011, the FEC found that there is reason to believe ("RTB") that Conway for Senate and you, in your official capacity as treasurer, violated 2 U.S.C. 434(a) by failing to file timely this report on or before January 31st. Based on the FEC's schedules of civil money penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$4,950. Please see the attached copy of the Commission's administrative fine regulations at 11 C.F.R. §§ 111.30-11.46. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 C.F.R. § 111.34. Your payment of \$4,950 is due within forty (40) days of the finding, or by May 11, 2011, and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive

Level of Activity: \$102,632

Number of Days Late: Not Filed (reports not filed within thirty (30) days of the due date are considered not filed for the purpose of calculating the penalty)

Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response, including the AF# found at the top of page 1 under your committee's identification number, to the FEC's Office of Administrative Review, 999 E Street, NW, Washington, DC 20463. Your response must be received within forty (40) days of the Commission's RTB finding, or May 11, 2011. 11 C.F.R. § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 C.F.R. § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 C.F.R. § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 C.F.R. § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to, (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 C.F.R. § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. district court under 2 U.S.C. § 437g. 11 C.F.R. § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Conway for Senate and you, in your official capacity as treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate

action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 C.F.R. § 111.51(a)(2).


3. If You Choose to Pay the Civil Money Penalty

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. Upon receipt of your payment, the FEC will send you a final determination letter.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 2 U.S.C. § 437g(a)(2). It will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 437g(a)(12)(A) until it is placed on the public record in accordance with 11 C.F.R. § 111.42, unless you notify the FEC in writing that you wish the matter to be made public.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Sari Pickerall in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,


Cynthia L. Bauerly
Chair

ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the amount of your civil money penalty calculated at RTB is \$4,950 for the 2010 Year-End Report.

Please mail this remittance with a check or money order made payable to the Federal Election Commission to the following address:

Federal Election Commission
P.O. Box 979058
St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC #979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The remittance and your payment are due by May 11, 2011. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Conway for Senate

FEC ID#: C00460766

AF#: 2414

PAYMENT DUE DATE: May 11, 2011

PAYMENT AMOUNT DUE: \$4,950

13092693369

FEC OFFICE OF
ADMIN REVIEW

2011 MAY -6 P 2:33



Jones, Nale & Mattingly PLC

May 4, 2011

Ms. Cynthia Bauerly
Federal Election Commission
Office of Administrative Review
999 E Street NW
Washington, D.C. 20463

Via Federal Express

RE: AF# 2414

Dear Ms. Bauerly,

We wish to protest the Civil Money Penalty assessed to the Conway for Senate Campaign. We consistently filed on time reports and believe we did so this time. We are in process of obtaining the weights for Fed Ex that will support our representation. We still have debts for the campaign and we are trying to raise money to retire those debts. We ask that you please abate the penalty.

Very truly yours,

A handwritten signature in black ink, appearing to read "R. Wayne Stratton".

R. Wayne Stratton

13092695370



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Via First Class Mail

May 9, 2011

R. Wayne Stratton, in official capacity as Treasurer
Conway for Senate
P.O. Box 6168
Louisville, KY 40206

C00460766
AF# 2414

Dear Mr. Stratton:

On May 6, 2011, the Commission's Office of Administrative Review ("OAR") received your written response ("challenge") which is being reviewed by OAR. If you have any questions regarding your challenge, please contact this Office on our toll free number (800)424-9530 (press 0, then ext. 1660) or (202)694-1660.

Sincerely,

A handwritten signature in black ink, appearing to read "Dayna C. Brown".

Dayna C. Brown
Reviewing Officer
Office of Administrative Review

13092693371

2011 MAY 10 P 12:52

Date: May 10, 2011

**REFERRAL TO OFFICE OF ADMINISTRATIVE REVIEW
CHALLENGE RECEIVED**

AF#: 2414

Committee Name: Conway for Senate

Committee ID#: C00460766

**Committee Address (if different than in RTB letter): 642 S. 4th Street, Suite 300
Louisville, KY 40202**

Treasurer Name (if different than in RTB finding): N

Attachments:

**Copy of RTB Circulation Report, dated March 30, 2011 and RTB Certification,
dated April 4, 2011 (Y/N): N**

Attachment #: N/A

Proof of Delivery (to be forwarded at later date if not yet received) (Y/N): Y

Attachment #: 1

Other Relevant Telecoms (Y/N): N

Attachment #: N/A

Original Correspondence Received by RAD in Response to RTB Letter (Y/N): N

Attachment #: N/A

RAD Staff Declaration (Y/N): Y

-2010 Year End Report Prior Notice, dated December 27, 2010.

-Non-Filer Letter, dated February 17, 2011.

-RTB Letter, dated April 4, 2011.

Attachment #: 3

Other RAD Information: (Y/N): Y

Attachment#: 4

13092693372



Delivery Notification

Dear Customer,

This notice serves as proof of delivery for the shipment listed below.

Tracking Number: 1Z WF5 860 A2 9494 670 5
Reference Number(s): RAD, 2414
Service: NEXT DAY AIR
Special Instructions: ADULT SIGNATURE REQUIRED
Shipped/Billed On: 04/12/2011
Delivered On: 04/13/2011 10:06 A.M.
Delivered To: 642 S 4TH ST
300
LOUISVILLE, KY, US 40202
Signed By: JOHNSON
Location: PHARMACY

Thank you for giving us this opportunity to serve you.

Sincerely,
UPS

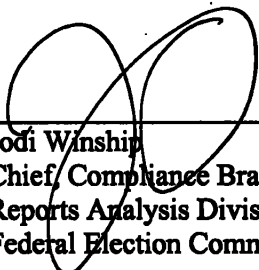
Tracking results provided by UPS: 04/13/2011 12:34 P.M. ET

Attachment 1

13092693373

DECLARATION OF JODI WINSHIP

1. I am the Chief of the Compliance Branch for the Reports Analysis Division of the Federal Election Commission ("Commission"). In my capacity as Chief of the Compliance Branch, I oversee the initial processing of the Administrative Fine Program. I make this declaration based on my personal knowledge and, if called upon as a witness, could and would testify competently to the following matters.
2. I hereby certify that documents identified herein are true and accurate copies of the following sent by the Commission to Conway for Senate:
 - A) Prior Notice, dated December 27, 2010, referencing the 2010 Year End Report (sent via electronic mail to: WAYNE@JNMCPA.COM);
 - B) Non-Filer Letter, dated February 17, 2011, referencing the 2010 Year End Report;
 - C) Reason-to-Believe Letter, dated April 4, 2011, referencing the 2010 Year End Report.
3. I hereby certify that I have searched the Commission's public records and find that Conway for Senate filed the 2010 Year End Report with the Commission on March 10, 2011.
4. Pursuant to 28 U.S.C. 1746, I declare under penalty of perjury that the foregoing is true and correct and that all relevant telecoms for the matter have been provided. This declaration was executed at Washington, D.C. on the 10th day of May, 2011.



Jodi Winship
Chief, Compliance Branch
Reports Analysis Division
Federal Election Commission



YEAR-END

REPORT NOTICE

FEDERAL ELECTION COMMISSION

CONGRESSIONAL COMMITTEES

December 27, 2010

CURRENT REPORT DUE

I. 2010 GENERAL ELECTION CANDIDATES

REPORT	REPORTING PERIOD*	REG./CERT. & POST ELECTION MAILING DEADLINE	FILING DEADLINE
Year-End	11/23/10 - 12/31/10	01/31/11	01/31/11

II. UNSUCCESSFUL 2010 PRIMARY ELECTION CAMPAIGN COMMITTEES AND CANDIDATES NOT ACTIVE IN 2010 ELECTIONS

REPORT	REPORTING PERIOD*	REG./CERT. & POST ELECTION MAILING DEADLINE	FILING DEADLINE
Year-End	10/01/10 - 12/31/10	01/31/11	01/31/11

NOTE FOR COMMITTEES NOT REQUIRED TO FILE A POST-GENERAL ELECTION REPORT CHART II (see above)

For candidates who ran in 2010 but did not participate in the general election, the reporting period for the Year-End Report spans two election cycles. For this report only, committees should instead use the Post-Election Detailed Summary Page (FEC Form 3, Pages 5-8).

Committees should not use the normal Detailed Summary Page.

[Click here for Supplemental Filing Information](#)

[See Page 2 for 2011 Reporting Schedule](#)

*A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered up through the close of books for the first report due.

REPORTING SCHEDULE FOR 2011

REPORT	CLOSE OF BOOKS ¹	REG./CERT. & OVERNIGHT MAILING DEADLINE	FILING DEADLINE
April Quarterly	03/31/11	04/15/11	04/15/11
July Quarterly	06/30/11	07/15/11	07/15/11
October Quarterly	09/30/11	10/15/11	10/15/11 ²
Year-End	12/31/11	01/31/12	01/31/12

[Click here for Supplemental Filing Information](#)

¹A reporting period always begins the day after the closing date of the last report filed. If the committee is new and has not previously filed a report, the first report must cover all activity that occurred before the committee registered up through the close of books for the first report due.

²Notice that this filing deadline falls on a weekend. Filing deadlines are not extended when they fall on nonworking days. Accordingly, reports filed by methods other than Registered, Certified or Overnight Mail, or electronically, must be received before the Commission's close of business on the last business day before the deadline.

2010 SUPPLEMENTAL FILING INFORMATION CONGRESSIONAL COMMITTEES

PLEASE NOTE: The Commission provides reminders of upcoming filing dates as a courtesy to help committees comply with the filing deadlines set forth in the Act and Commission regulations. Committee treasurers must comply with all applicable filing deadlines established by law, and the lack of prior notice does not constitute an excuse for failing to comply with any filing deadline.

WHO MUST FILE

Principal campaign committees of congressional candidates ¹ (including unopposed candidates and candidates whose names do not appear on the ballot) must file a Year-End Report on January 31, 2011. ²

Campaigns that raise or spend more than \$5,000 for the 2010 election cycle (and thus trigger registration and reporting requirements) must file quarterly reports throughout 2010, even if the candidate plans to retire, withdraws from the race prior to the primary election, loses the primary or drops out of the race prior to the general election. See 11 CFR 104.5(a)(2).

Before a committee can stop filing with the FEC, it must file a termination report with the Commission. See 11 CFR 102.3. Committees must continue to file reports until the Commission notifies them in writing that their termination report has been accepted.

METHODS OF FILING REPORTS

Electronic Filing

Reports filed electronically must be received and validated by the Commission by 11:59 p.m. Eastern Time on the filing deadline. See 11 CFR 104.5(e).

- Web Page: Electronic Filing Page
- Campaign Guide for Congressional Candidates and Committees (Candidate Guide), pp. 82-84 [PDF]

Paper Filing - Meeting the Filing Deadline

Paper Report filing options -- Registered, Certified or Overnight or First Class Mail. See 11 CFR 104.5(e).

- Web Page: Link to Paper Forms (for downloading and printing)
- Candidate Guide, p. 81 [PDF]

¹ Generally, an individual becomes a candidate for federal office (and thus triggers registration and reporting obligations) when his or her campaign exceeds \$5,000 in either contributions or expenditures. If the campaign has not crossed the \$5,000 threshold, it is not required to file reports. See 11 CFR 100.3(a).

² If a candidate has more than one authorized committee, the principal campaign committee must also file a consolidated report on Form 3Z [PDF].

COMPLIANCE

Treasurer Responsibility

Committee Treasurers are responsible for both the timeliness and the accuracy of all reports. They may be subject to monetary penalties if reports are inaccurate or are not filed on time.

See 11 CFR 104.14(d).

- Statement of Policy Regarding Treasurers Subject to Enforcement Proceedings [PDF]
- Candidate Guide, p. 7 [PDF]

Administrative Fine Program

Political committees and their treasurers who fail to file their reports on time may be subject to civil money penalties up to \$17,600 (or more for repeat late- and non-filers).³

See 11 CFR 111.30.

- Web Page: Administrative Fine Program
- Candidate Guide, pp. 81-82 [PDF]

DISCLOSURE OF LOBBYIST BUNDLING ACTIVITY

Campaign committees must file FEC Form 3L [PDF] if they receive two or more bundled contributions from lobbyists/registrants or lobbyist/registrant PACs that aggregate in excess of \$16,000 during the applicable reporting period (see page 1 of this notice).

See 11 CFR 104.22 and 110.17(e).

- The Record: March 2009 issue [PDF]

2010 REPORTING SCHEDULE

- Web Page: 2010 Reporting Dates Page
- The Record: January 2010 issue [PDF]
- Candidate Guide, p. 79 [PDF]

IMPORTANT FILING INFORMATION - PAPER FILERS

In response to the 2001 anthrax threat, the U.S. Postal Service is irradiating mail directed to many federal agencies, including the FEC and the Secretary of the Senate.⁴ This process has not only delayed mail delivery, it has also damaged and in some cases destroyed pieces of mail. As a result, committees that file reports with the FEC may want to consider submitting their reports by some means other than U.S. mail. Alternative methods include electronic filing, overnight mail or delivery service, and hand delivery.

³ Penalties for late- or non-filing of 48-hour notices are based on the amount of contributions not timely disclosed. As a result, these penalties may exceed \$17,600, even for first-time violations.

⁴ Senate committees should contact the Secretary of the Senate at (202) 224-0322 for more information on filing reports via US mail.

FOR INFORMATION, CALL: (800) 424-9530 or (202) 694-1100



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 17, 2011

RQ-7

R WAYNE STRATTON, TREASURER
CONWAY FOR SENATE
PO BOX 816N
LOUISVILLE, KY 40206

IDENTIFICATION NUMBER: C00460766

REFERENCE: YEAR-END REPORT 11/23/2010 - 12/31/2010

DEAR TREASURER:

IT HAS COME TO THE ATTENTION OF THE FEDERAL ELECTION COMMISSION THAT YOU MAY HAVE FAILED TO FILE THE ABOVE REFERENCED REPORT OF RECEIPTS AND EXPENDITURES AS REQUIRED BY THE FEDERAL ELECTION CAMPAIGN ACT, AS AMENDED.

IT IS IMMEDIATELY THAT YOU FILE THIS REPORT IMMEDIATELY WITH THE FEDERAL ELECTION COMMISSION, 999 E STREET, N.W., WASHINGTON, D.C. 20463 FOR ELDUE CANDIDATES, OR THE SECRETARY OF THE SENATE, 232 HART SENATE OFFICE BUILDING, WASHINGTON, D.C. 20510 (MAILING ADDRESS: OFFICE OF PUBLIC RECORDS, P.O. BOX 2517, ALEXANDRIA, VA 22301), FOR SENATE CANDIDATES. PLEASE NOTE THAT ELECTRONIC FILERS MUST SUBMIT THEIR REPORTS ELECTRONICALLY, AS PER 11 CFR §104.18. A COPY OF THE REPORT MUST ALSO BE FILED WITH THE SECRETARY OF STATE OR EQUIVALENT STATE OFFICER UNLESS THE STATE IS EXEMPT FROM THE FEDERAL REQUIREMENT TO RECEIVE AND MAINTAIN PAPER COPIES. YOU CAN VERIFY THE COMMISSION'S RECEIPT OF ANY DOCUMENTS SUBMITTED BY YOUR COMMITTEE ON THE FEC WEBSITE AT WWW.FEC.GOV.

THE FAILURE TO TIMELY FILE THIS REPORT MAY RESULT IN CIVIL MONEY PENALTIES, AN AUDIT OR LEGAL ENFORCEMENT ACTION. THE CIVIL MONEY PENALTY CALCULATION FOR LATE REPORTS DOES NOT INCLUDE A GRACE PERIOD AND BEGINS ON THE DAY FOLLOWING THE DUE DATE FOR THE REPORT. DUE TO HEIGHTENED SECURITY SCREENING MEASURES, DELIVERY OF MAIL BY THE US POSTAL SERVICE MAY BE DELAYED. THE COMMISSION RECOMMENDS THAT YOU SUBMIT YOUR REPORT VIA OVERNIGHT DELIVERY OR COURIER SERVICE.

IF YOU HAVE ANY QUESTIONS REGARDING THIS MATTER, PLEASE CONTACT CHRISTOPHER RITCHIE AT OUR TOLL FREE NUMBER (800)484-9530. OUR DIRECT LOCAL NUMBER IS (202)694-1138.

SINCERELY,

Debbie Chacona

DEBBIE CHACONA
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION (RAD)



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

2011 JUN 29 P 3:13

SENSITIVE

June 29, 2011

MEMORANDUM

To: The Commission

Through: Alec Palmer *AP*
Acting Staff Director

From: Patricia Carmona *PC*
Chief Compliance Officer

Dayna C. Brown *DCB*
Reviewing Officer
Office of Administrative Review

Subject: Reviewing Officer Recommendation in AF# 2414 – Conway for Senate and
R. Wayne Stratton, in his official capacity as Treasurer (C00460766)

The attached Reviewing Officer Recommendation is being circulated on an informational basis. A copy was also sent to the respondents in accordance with 11 C.F.R. § 111.36(f). The respondents may file with the Commission Secretary a written response within 10 days of transmittal of the recommendation.

After the 10 day period, the Reviewing Officer Recommendation and the respondents' written response, if any, will be circulated to the Commission to make a final determination.

Attachment

13092693380



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 29, 2011

**REVIEWING OFFICER RECOMMENDATION
OFFICE OF ADMINISTRATIVE REVIEW ("OAR")**

AF# 2414 – Conway for Senate and R. Wayne Stratton, in his official capacity as Treasurer
(C00460766)

Summary of Recommendation

Make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$4,950.

Reason-to-Believe Background

On April 1, 2011, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to file the 2010 Year End Report and made a preliminary determination that the civil money penalty was \$4,950 based on the schedule of penalties at 11 C.F.R. § 111.43. A letter, dated April 4, 2011, was mailed to the respondents' address of record from the Reports Analysis Division ("RAD") to notify them of the Commission's RTB finding and civil money penalty. The letter was returned as undeliverable and on April 12, a copy was re-mailed to an address previously provided the respondents. It was successfully delivered on April 13, 2011.

Legal Requirements

The Federal Election Campaign Act ("Act") states that the treasurer of a principal campaign committee shall file a report for the quarter ending December 31 no later than January 31 of the following calendar year. 2 U.S.C. § 434(a)(2)(A)(iii) and 11 C.F.R. § 104.5(a)(1)(i). If the report is sent by registered or certified mail, by Express or Priority Mail with delivery confirmation or by overnight delivery service with an online tracking system, and scheduled for next business day delivery, it must be postmarked, or deposited with the mailing service, no later than the January 31 to be timely filed. 2 U.S.C. § 434(a)(5) and 11 C.F.R. §§ 100.19(b) and 104.5(e). The treasurer shall be personally responsible for the timely filing of reports. 11 C.F.R. § 104.14(d).

Respondents' Challenge

On May 6, 2011, the Commission received the written response ("challenge") from the Treasurer, who asks that the penalty be abated because they believe they filed the report on time.

In her signed and notarized affidavit, Receptionist Lynn-Marie Johnson states that on January 25, 2011 she received a set of reports, including three responses to inquiries and amended reports, and the original Year End Report to be shipped to the Senate Office of Public Records ("the Senate"). She states that the reports and letters were placed in a Federal Express envelope and mailed via priority overnight shipping to the Senate on January 25, and were

delivered and signed for on January 26. The Treasurer states that they are in process of obtaining weights from FedEx to support their challenge.

Included with the challenge are a copy of a FedEx shipping label addressed to the Senate Office of Public Records with a January 25 ship date and a 7943 5510 2161 tracking number; two copies of Fed Ex Detailed Results for tracking number 794355102161 showing the envelope was delivered on January 26 and signed for by A. Turner; and a copy of the January 26 proof-of-delivery for tracking number 794355102161 including a copy of the recipient's signature.

Analysis

Because the respondents state they were attempting to obtain weights from FedEx in support of their challenge and no additional information was received from them, on June 21 the Reviewing Officer placed a follow-up call to the Treasurer. He stated that FedEx advised them that they do not track weights under a half pound, and that they subsequently had no additional information.

The challenge contends the Year End Report was mailed timely in an envelope with several responses and amended reports via Federal Express on January 25; therefore the Reviewing Officer requested additional information from the Secretary of Senate Office of Public Records, as the point of entry for reports filed by Senate committees. The Superintendent of the Office of Public Records states that they received a FedEx envelope shipped on January 25, containing an Amended October Quarterly Report, three distinct Amended 12 Day Pre-General Reports, and an Amended 30 Day Post-General Report. She confirms that the January 25 shipment did not include the 2010 Year End Report.

The Superintendent further states that as of February 16 her office still had not received the report and notified the Commission's RAD Compliance Analyst of this on that same day, triggering the Commission's non-filer notice sent to the respondents' address of record on February 17, 2011. According to RAD telecoms (written records of telephone conversations), the respondents did not call the Commission regarding the notice until March 10, three weeks after it was sent. The Committee representative indicated that the report had been filed and that she had the certified-mail receipt confirming its delivery. The Compliance Analyst advised her to send a copy of the report and include the certified mail receipt from the first filing. The Senate Superintendent confirms that the report, sent on March 10 via FedEx and received by her office on March 16, 2011, is the only Year End Report received from the respondents. The report was 38 days late and included the FedEx tracking information included in the challenge, rather than the certified mail receipt the representative stated she had verifying the timely filing of the report.

On April 20, the Treasurer called the Compliance Analyst after receiving the RTB letter. He informed the Analyst that he did not believe the report was late and that a copy of the report was sent, along with tracking information from the original report sent via FedEx and delivered timely. The Analyst advised him that while the original Year End Report he referenced had not been received, there were other reports received on that same day, with the same tracking number he referenced. The Treasurer replied that the Year End Report was sent separately from these reports.

The administrative fine regulations are clear that the respondents must detail the factual basis supporting their challenge and provide supporting documentation. 11 C.F.R. § 111.35(e). Given the Committee representative's indication on March 10 that the Year End Report was sent via certified mail; the Treasurer's indication on April 20 that the Year End Report was sent separately from the amendments filed via FedEx on January 25 and therefore separate from the tracking information provided in the challenge; and the Senate Superintendent's confirmation that the January 25 FedEx shipment did not include the Year End Report, the respondents failed to provide documentation supporting the timely filing of the Year End Report.

Their challenge fails to address any of the three valid grounds at 11 C.F.R. § 111.35(b). These are: (i) the RTB finding is based on factual errors; and/or (ii) the improper calculation of the civil money penalty; and/or (iii) they used best efforts to file on time but were prevented from doing so by reasonably unforeseen circumstances that were beyond their control and they filed the report no later than 24 hours after the end of these circumstances. The other issue raised in the challenge (their current effort to raise money to retire debt), also does not fall within the list of defenses enumerated at 11 C.F.R. § 111.35(b). Therefore, the Reviewing Officer recommends that the Commission make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$4,950.

OAR Recommendations

- (1) Adopt the Reviewing Officer recommendation for AF# 2414 involving Conway for Senate and R. Wayne Stratton, in his official capacity as Treasurer, in making the final determination;
- (2) Make a final determination in AF# 2414 that Conway for Senate and R. Wayne Stratton, in his official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$4,950; and
- (3) Send the appropriate letter.

Reviewing Officer: Dayna C. Brown

Attachments

Attachment 1 – Challenge Received from Respondents

Attachment 2 –

Attachment 3 – Declaration from RAD

Attachment 4 – Declaration from OAR

DECLARATION OF DAYNA C. BROWN

1. I am the Reviewing Officer in the Office of Administrative Review for the Federal Election Commission ("Commission"). In my capacity as Reviewing Officer, I conduct research with respect to all challenges submitted in accordance with the Administrative Fine program.
2. The 2010 Year End Report is due January 31, 2011. Senate principal campaign committees must file reports with the Secretary of the Senate. If the report is sent by certified or registered mail, Priority or Express Mail with delivery confirmation, or by overnight delivery service with an on-line tracking system and scheduled for next business day delivery, it must be postmarked, or delivered to the service, by the close of business on January 31 to be timely filed.
3. It is the practice of the Office of Public Records, Secretary of the Senate to date stamp each report as it is received and complete an envelope processing page disclosing the method used to file the report as well as either the date of receipt or postmark.
4. I hereby certify that I have searched the Commission's public records and that the documents identified herein are the true and accurate copies of:
 - a. A letter dated January 24, 2010, the envelope, and the Senate Office of Public Records postmark sheet filed by Conway for Senate and R. Wayne Stratton, in his official capacity as Treasurer. According to the Commission's records, the letter references the "Response to FEC RFAI dated December 21, 2010 regarding our October Quarterly Report," was sent on January 25, via Federal Express overnight delivery with a tracking number of 7943 5510 2161, and received on January 28, 2011;
 - b. A cover letter dated January 24, 2010, Page 1 of the Summary Page, the envelope, and the Senate Office of Public Records postmark sheet for the Amended 2010 October Quarterly Report filed by Jack Conway for U.S. Senate and Wayne Stratton, in his official capacity as Treasurer. According to the Commission's records, the report covers the period from July 1 through September 30, 2010, was sent on January 25, 2011 via Federal Express overnight delivery with a tracking number of 7943 5510 2161, and received on January 28;
 - c. A letter dated January 24, 2010, the envelope, and the Senate Office of Public Records postmark sheet filed by Conway for Senate and R. Wayne Stratton, in his official capacity as Treasurer. According to the Commission's records, the letter references the "Response to FEC RFAI dated December 21, 2010 regarding our 12 Day Pre-General Report," was sent on January 25, via Federal Express overnight delivery with a tracking number of 7943 5510 2161, and received on January 28, 2011;
 - d. A cover letter dated January 25, 2010, Page 1 of the Summary Page, the envelope, and the Senate Office of Public Records postmark sheet for the Amended 2010 12 Day Pre-General Report filed by Jack Conway for U.S. Senate and Wayne Stratton, in his official capacity as Treasurer. According to the Commission's records, the report covers the period from October 1

1309269334

through October 13, 2010, was sent on January 25, 2011 via Federal Express overnight delivery with a tracking number of 7943 5510 2161, and received on January 28;

- e. A cover letter dated January 25, 2010, Page 1 of the Summary Page, the envelope, and the Senate Office of Public Records postmark sheet for the Amended 2010 30 Day Post-General Report filed by Jack Conway for U.S. Senate and Wayne Stratton, in his official capacity as Treasurer. According to the Commission's records, the report covers the period from October 14 through November 22, 2010, was sent on January 25, 2011 via Federal Express overnight delivery with a tracking number of 7943 5510 2161, and received on January 28; and
 - f. A cover letter dated March 10, a FedEx shipping label addressed to the Senate Office of Public Records with a January 25 ship date and a 7943 5510 2161 tracking number, a Fed Ex Detailed Results Page for tracking number 794355102161 showing the envelope was delivered on January 26 and signed for by A. Turner, included with Page 1 of the Summary Page, the envelope, and the Senate Office of Public Records postmark sheet for the 2010 Year End Report filed by Jack Conway for U.S. Senate and Wayne Stratton, in his official capacity as Treasurer. According to the Commission's records, the report covers the period from November 23 through December 31, 2010, was sent on March 10, 2011 via Federal Express overnight delivery and received on March 16, 2011.
5. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct and that this declaration was executed at Washington on the 29th of June, 2011.



Dayna C. Brown
Reviewing Officer
Office of Administrative Review
Federal Election Commission

1309269335



Jones, Nale & Mattingly PLC

SECRETARY OF THE SENATE

11 JAN 28 PM 2:39

January 24, 2010

Jill Sugarman
Senior Campaign Finance Analyst
Senate Office of Public Records
232 Hart Senate Office Building
Washington, DC 20510

Re: Conway for Senate
FEC ID # C00460766
Response to FEC RFAI dated December 21, 2010 regarding our October Quarterly Report

Dear Ms. Sugarman:

This letter is a response to a Request for Additional Information (RAI) from the Federal Election Commission, dated December 21, 2010, regarding our October Quarterly Report, originally filed on October 20, 2010.

The RAI asks us to "clarify the nature" of "12 disbursements to the Kentucky Democratic Party, marked as memo entries, which total \$10,387.56." After a review of our records, we were only able to identify 11 disbursements to the Kentucky Democratic Party, totaling \$9,968.39. These were in-kind contributions to the Kentucky Democratic Party for the use of a portion of our office space. They were reported as memo entries because there were no separate vendors. We calculated the value of the in-kind contributions by determining the portion of our office rent and overhead that was used by the Party. All the original payments for our monthly rent and other related office expenses are disclosed on the October Quarterly report.

Sincerely,

R. Wayne Stratton
Treasurer

1309269336

11020014389

12032895587

Post Office

Page 1 of 1

From: (502) 583-0248
Marie Johnson
Jones, Nale & Mattingly
642 S Fourth St Suite 300
Louisville, KY 40202

Origin ID: LOUA



J11100122025

SHIP TO: (202) 224-8785
Senate Office of Public Records
Senate Office of Public Records
232 HART SENATE OFFICE BLDG
WASHINGTON, DC 20510

BILL SENDER

Ship Date: 25 JAN 11
ActWgt: 1.0 LB
CAD: 3200042ANET3130

Delivery Address Bar Code



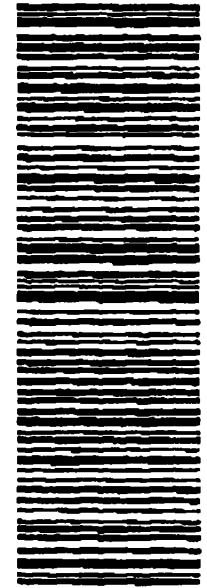
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Invoice #
PO #
Dept #

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U.S. SENATE
TRACKING NUMBER
06-078496

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NANCY ERICKSON
SECRETARY

DANA K. MCCALLUM
SUPERINTENDENT

HART SENATE OFFICE BUILDING
SUITE 232
WASHINGTON, DC 20510-7118
PHONE: (202) 224-0322

United States Senate

OFFICE OF THE SECRETARY

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UPS _____ ☐

DHL _____ ☐

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Date of Receipt

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PREPARER RD DATE PREPARED 01-28-11

13092693388

11020014391



Jones, Nale & Mattingly PLC

SECRETARY OF THE SENATE

11 JAN 28 PM 2:39

January 24, 2010

Jill Sugarman
Senior Campaign Finance Analyst
Senate Office of Public Records
232 Hart Senate Office Building
Washington, DC 20510

Re: Conway for Senate
FEC ID # C00460766

Response to FEC RFAI dated December 21, 2010 regarding our Amended 12 Day Pre-General Report
Current amendment to October Quarterly Report

Dear Ms. Sugarman:

This letter and attached Amended October Quarterly Report are a response to a Request for Additional Information (RAI) from the Federal Election Commission, dated December 21, 2010, regarding our Amended 12 Day Pre-General Report, originally filed on December 2, 2010.

The RAI notes that our "report itemizes a debt to The Yale Club with an outstanding beginning balance; however, this debt was not included on your previous report." We are filing the current amendment to our October Quarterly Report to correct this error. The amendment also includes two additional corrections – we are listing debts to Jerry Crawford and BostonCoach, both of which we had not been notified and failed to record in either our initial October Quarterly Report or our previous amendment.

Sincerely,

R. Wayne Stratton
Treasurer

13092693389

11020014397

FEC
FORM 3

REPORT OF RECEIPTS
AND DISBURSEMENTS

For An Authorized Committee

SECRETARY OF THE SENATE

11 JAN 28 PM 2:39

Office Use Only

1. NAME OF COMMITTEE (in full) USE FEC MAILING LABEL OR TYPE OR PRINT Example: If typing, type over the lines

Jack Conway for U.S. Senate

ADDRESS (number and street)

P.O. Box 6168



Check if different than previously reported. (ACC)

Louisville

KY

40206

2. FEC IDENTIFICATION NUMBER

CITY

STATE

ZIP CODE

STATE DISTRICT

C00460766

3. IS THIS REPORT



NEW (N)

OR



AMENDED (A)

KY

00

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:



April 15 Quarterly Report (Q1)



July 15 Quarterly Report (Q2)



October 15 Quarterly Report (Q3)



January 31 Year-End Report (YE)



Termination Report (TER)

(b) 12-Day PRE-Election Report for the:



Primary (12P)



General (12G)



Runoff (12R)



Convention (12C)



Special (12S)

Election on

in the State of

(c) 30-Day POST-Election Report for the:



General (30G)



Runoff (30R)



Special (30S)

Election on

in the State of

5. Covering Period

07

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2010

through

09

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2010

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

Wayne Stratton

Signature of Treasurer

Wayne Stratton

Date

01

24

2011

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C 437g.

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13092693390

11020014398

12032693391

Post Office

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Page 1 of 1

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Marie Johnson
Jones, Nalle & Mattingly
642 S Fourth St Suite 300
Louisville, KY 40202

Origin ID: LOUA

FedEx
Express



J111010122025

SHIP TO: (202) 224-0785

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232 HART SENATE OFFICE BLDG

WASHINGTON, DC 20510

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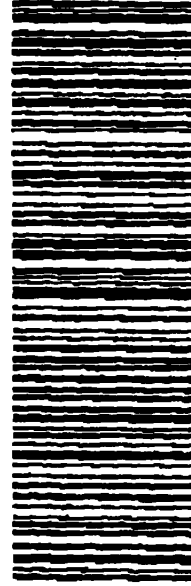
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TRK# 7943 5510 2161

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06-078496

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NANCY ERICKSON
SECRETARY

DANA K. MCCALLUM
SUPERINTENDENT

HART SENATE OFFICE BUILDING
SUITE 232
WASHINGTON, DC 20510-7118
PHONE: (202) 224-0322

United States Senate

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FAX _____

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OTHER _____

Date of Receipt or Postmark

PREPARER

RD

DATE PREPARED

01-28-11

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Jones, Nale & Mattingly PLC

SECRETARY OF THE SENATE

11 JAN 28 PM 2:39

January 24, 2010

Jill Sugarman
Senior Campaign Finance Analyst
Senate Office of Public Records
232 Hart Senate Office Building
Washington, DC 20510

Re: Conway for Senate
FEC ID # C00460766

Response to FEC RFAI dated December 21, 2010 regarding our 12 Day Pre-General Report

Dear Ms. Sugarman:

This letter is a response to a Request for Additional Information (RAI) from the Federal Election Commission, dated December 21, 2010, regarding our 12 Day Pre-General Report, originally filed on October 21, 2010.

The RAI states, "Line 12 of the Detailed Summary Page discloses a transfer from a joint fundraising committee, Senate 2010. However, the sum of memo Schedules A supporting Line 12 is less than the amount transferred."

The bulk of the transfer in question – of \$7,500, received on October 8, 2010 – was comprised of contributions that had been received by Senate 2010 during the third quarter of 2010. These contributions were reported in our October quarterly report as memo items in support of a previous transfer – of \$17,000, received September 30, 2010. Collectively, these two transfers – our committee's net proceeds – total \$24,500. The memo items supporting the transfers – the gross receipts from the original donors – total \$34,250.

Sincerely,

R. Wayne Stratton
Treasurer

13092693393

11020014392

95232324

Post Office

From: (502) 583-0248
Marie Johnson
Jones, Nels & Mattingly
642 S Fourth St Suite 300
Louisville, KY 40202

Origin ID: LOUA

FedEx
Express



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Senate Office of Public Records
Senate Office of Public Records
232 HART SENATE OFFICE BLDG

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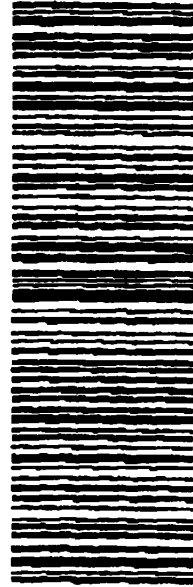
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TRACKING NUMBER
06-078496

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NANCY ERICKSON
SECRETARY

DANA K. MCCALLUM
SUPERINTENDENT

MARY SENATE OFFICE BUILDING
SUITE 232
WASHINGTON, DC 20510-7118
PHONE: (202) 224-0322

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AIRBORNE EXPRESS	_____	<input type="checkbox"/>

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JNM

Jones, Nale & Mattingly PLC

SECRETARY OF THE SENATE
11 JAN 28 PM 2:41

January 25, 2010

Senate Office of Public Records
232 Hart Senate Office Building
Washington, DC 20510

Re: Conway for Senate
FEC ID # C00460766
Form 3 Report Amendment – Pre-General Election 2010

Dear Sir/Madam:

We are filing this amendment to correct our previously filed Pre-General Election 2010 Form 3. The following omissions are addressed in this amendment:

- We previously failed to list a debt owed to Kelley Construction.
- We previously failed to list a debt owed to Jerry Crawford.
- We previously failed to list a debt to BostonCoach.

We are filing amended pages correcting these omissions, along with new summary pages.

Sincerely,



R. Wayne Stratton
Treasurer

13092693396

11020014407

FEC
FORM 3

REPORT OF RECEIPTS
AND DISBURSEMENTS

For An Authorized Committee

SECRETARY OF THE SENATE

11 JAN 28 PM 2:41

Office Use Only

1. NAME OF COMMITTEE (in full) USE FEC MAILING LABEL OR TYPE OR PRINT Example: If typing, type over the lines

Jack Conway for U.S. Senate

ADDRESS (number and street)

P. O. Box 6168



Check if different than previously reported. (ACC)

Louisville

KY

40206

2. FEC IDENTIFICATION NUMBER

CITY

STATE

ZIP CODE

STATE DISTRICT

C00460766

3. IS THIS REPORT



NEW (N)

OR



AMENDED (A)

KY

00

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:



April 15 Quarterly Report (Q1)



July 15 Quarterly Report (Q2)



October 15 Quarterly Report (Q3)



January 31 Year-End Report (YE)



Termination Report (TER)

(b) 12-Day PRE-Election Report for the:



Primary (12P)



General (12G)



Runoff (12R)



Convention (12C)



Special (12S)

Election on

11

02

2010

In the State of

KY

(c) 30-Day POST-Election Report for the:



General (30G)



Runoff (30R)



Special (30S)

Election on

In the State of

5. Covering Period

10

01

2010

through

10

13

2010

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

Wayne Stratton

Signature of Treasurer

Wayne Stratton

Date

01

24

2011

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. 437g.

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Jones, Nale & Mattingly
642 S Fourth St Suite 300
Louisville, KY 40202

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SHIP TO: (202) 224-0795

Senate Office of Public Records
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232 HART SENATE OFFICE BLDG

WASHINGTON, DC 20510

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CAD: 3200042/NET3130

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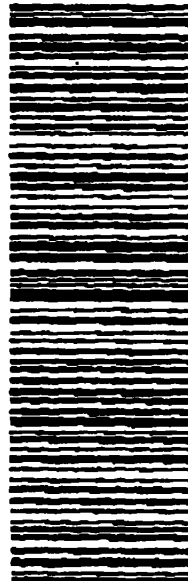
WED - 26 JAN A2
PRIORITY OVERNIGHT

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U.S. SENATE
TRACKING NUMBER
06-078496

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NANCY ERICKSON
SECRETARY

DANA K. MCCALLUM
SUPERINTENDENT

HART SENATE OFFICE BUILDING
SUITE 232
WASHINGTON, DC 20510-7118
PHONE: (202) 224-0322

United States Senate

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OVERNIGHT DELIVERY SERVICE:

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UPS	_____	<input type="checkbox"/>
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13092693399

11020014415

JNM

Jones, Nale & Mattingly P.L.C.

SECRETARY OF THE SENATE

11 JAN 28 PH 2:41

January 25, 2010

Senate Office of Public Records
232 Hart Senate Office Building
Washington, DC 20510

Re: Conway for Senate
FEC ID # C00460766
Form 3 Report Amendment – Post-General Election 2010

Dear Sir/Madam:

We are filing this amendment to correct our previously filed Post-General Election 2010 Form 3. The following omissions are addressed in this amendment:

- We previously failed to list a debt owed to Kelley Construction.
- We previously failed to list a debt owed to Jerry Crawford.
- We previously failed to list a debt to BostonCoach.
- The address listed for vendor David Brown was previously incorrect.
- We previously failed to list an in-kind contribution from Joint Action Committee for Political Affairs.

We are filing amended pages correcting these omissions, along with new summary pages.

Sincerely,



R. Wayne Stratton
Treasurer

13092693400

11020014417

FEC
FORM 3

REPORT OF RECEIPTS
AND DISBURSEMENTS

For An Authorized Committee

SECRETARY OF THE SENATE

11 JAN 28 PM 2:41

Office Use Only

1. NAME OF COMMITTEE (in full) USE FEC MAILING LABEL OR TYPE OR PRINT Example: If typing, type over the lines

Jack Conway for U.S. Senate

ADDRESS (number and street) P. O. Box 5158

☐ Check if different than previously reported. (ACC)

Louisville

KY

40206

2. FEC IDENTIFICATION NUMBER

CITY

STATE

ZIP CODE

STATE DISTRICT

C00460766

3. IS THIS REPORT ☐ NEW (N) OR ☒ AMENDED (A)

KY

00

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

- ☐ April 15 Quarterly Report (Q1)
☐ July 15 Quarterly Report (Q2)
☐ October 15 Quarterly Report (Q3)
☐ January 31 Year-End Report (YE)

☐ Termination Report (TER)

(b) 12-Day PRE-Election Report for the:

- ☐ Primary (12P) ☐ General (12G) ☐ Runoff (12R)
☐ Convention (12C) ☐ Special (12S)

Election on

in the State of

(c) 30-Day POST-Election Report for the:

- ☒ General (30G) ☐ Runoff (30R) ☐ Special (30S)

Election on

11 02 2010

in the State of

KY

5. Covering Period

10

14

2010

through

11

22

2010

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

Wayne Straton

Signature of Treasurer

Wayne Straton

Date

01

24

2011

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C 437g.

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(Revised 02/2003)

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13092693401

11020014418

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Page 1 of 1

From: (502) 583-0248
Marie Johnson
Jones, Nale & Mattingly
642 S Fourth St Suite 300
Louisville, KY 40202

Origin ID: LOUA

FedEx
Express



J1100101220025

BILL SENDER

SHIP TO: (202) 724-0785

Senate Office of Public Records
Senate Office of Public Records
232 HART SENATE OFFICE BLDG

WASHINGTON, DC 20510

Delivery Address Bar Code



Ref #
Invoice #
PO #
Dept #

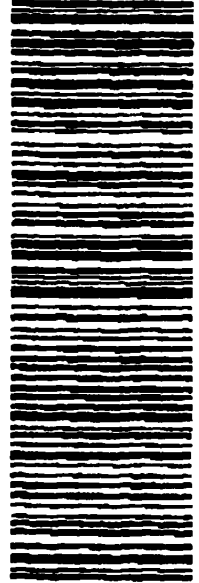
WED - 26 JAN A2
PRIORITY OVERNIGHT

TRK# 7943 5510 2161

[0201]

XC YKNA

20510
DC-US
DCA



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© 2005 FedEx 155476/155475 REV 9/05 RT

Insert
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U.S. SENATE
TRACKING NUMBER
06-078496

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1.4747

62001002011

NANCY ERICKSON
SECRETARY

DANA K. MCCALLUM
SUPERINTENDENT

HART SENATE OFFICE BUILDING
SUITE 232
WASHINGTON, DC 20510-7118
PHONE: (202) 224-0322

United States Senate

OFFICE OF THE SECRETARY

OFFICE OF PUBLIC RECORDS

THE PRECEDING DOCUMENT WAS:

HAND DELIVERED _____
Date of Receipt

USPS FIRST CLASS MAIL _____
Postmark

USPS REGISTERED/CERTIFIED _____
Postmark

USPS PRIORITY MAIL _____
Postmark

DELIVERY CONFIRMATION OR SIGNATURE CONFIRMATION LABEL ☐

USPS EXPRESS MAIL _____
Postmark

OVERNIGHT DELIVERY SERVICE:

SHIPPING DATE

NEXT BUSINESS DAY DELIVERY

FEDERAL EXPRESS 01-25-11 ☐

UPS _____ ☐

DHL _____ ☐

AIRBORNE EXPRESS _____ ☐

RECEIVED FROM FEDERAL ELECTION COMMISSION _____
Date of Receipt

POSTMARK ILLEGIBLE ☐ NO POSTMARK ☐

FAX _____
Date of Receipt

OTHER _____
Date of Receipt or Postmark

PREPARER RD DATE PREPARED 01-28-11

13092693403

11020014430

JNM

Jones, Nale & Mattingly PLC

SECRETARY OF THE SENATE

11 MAR 16 PM 12:35

March 10, 2011

Senate Office of Public Records
232 Hart Senate Office Building
Washington, DC 20510

Re: Jack Conway for U.S. Senate
ID # C00460766

Dear Sir/Madam:

We are in receipt of a letter from the FEC stating that the Year-End Report, period 11/23/2010 - 12/31/2010, for the Jack Conway for U.S. Senate campaign, was not received. According to our records, this report was sent via Federal Express, on January 25, 2011, with a delivery date of January 26, 2011. We have enclosed a copy of the original shipment label, as well as the tracking delivery detail, showing receipt confirmation, and acceptance of the package by A. Turner. With this information, please consider the Year-End Report as being filed timely.

Sincerely,



R. Wayne Stratton
Treasurer

RWS/pmp

13092693404

11020093308

From: (502) 583-0248
 Marie Johnson
 Jones, Hale & Mattingly
 642 S Fourth St Suite 300

Origin ID: LOUA

FedEx



J1110101220225

Louisville, KY 40202

Ship Date: 25 JAN 11
 ActWgt: 1.0 LB
 CAD: 3200042/INET3130

SECRETARY OF THE SENATE

Delivery Address Bar Code



SHIP TO: (202) 224-0795

BILL SENDER

Senate Office of Public Records
 Senate Office of Public Records
 232 HART SENATE OFFICE BLDG

WASHINGTON, DC 20510

Ref #
 Invoice #
 PO #
 Dept #

Conway for Senate

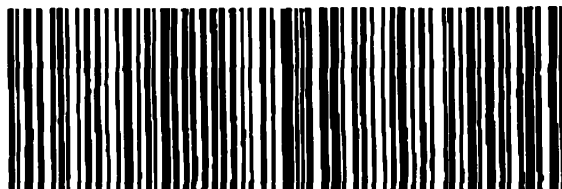
WED - 26 JAN A2
 PRIORITY OVERNIGHT

TRK# 7943 5510 2161

0201

20510
 DC-US
 DCA

XC YKNA



500G10E77/EF8

After printing this label:

1. Use the 'Print' button on this page to print your label to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.

13092693405

11020095510

Print page | Close



Detailed Results

Tracking no.: 794355102161

Select time format: 12H

Delivered

Delivered
Signed for by: A TURNER

Shipment Dates

Ship date Jan 25, 2011

Delivery date Jan 26, 2011 11:01 AM

Destination

WASHINGTON, DC

Signature Proof of Delivery

Shipment Options

Hold at FedEx Location

Hold at FedEx Location service is not available for this shipment.

Shipment Facts

Service type	Priority Envelope	Delivered to	Shipping/Receiving
Weight	0.5 lbs/2 kg		

Shipment Travel History

Select time zone: Local Scan Time

All shipment travel activity is displayed in local time for the location

Date/Time	Activity	Location	Details
Jan 26, 2011 11:01 AM	Delivered	WASHINGTON, DC	
Jan 26, 2011 8:42 AM	On FedEx vehicle for delivery	WASHINGTON, DC	
Jan 26, 2011 8:35 AM	At local FedEx facility	WASHINGTON, DC	
Jan 26, 2011 7:00 AM	At dest sort facility	WASHINGTON, DC	
Jan 26, 2011 4:15 AM	Departed FedEx location	MEMPHIS, TN	
Jan 26, 2011 12:16 AM	Arrived at FedEx location	MEMPHIS, TN	
Jan 25, 2011 10:12 PM	Left FedEx origin facility	LOUISVILLE, KY	
Jan 25, 2011 3:46 PM	Picked up	LOUISVILLE, KY	
Jan 25, 2011 9:20 PM	Shipment information sent to FedEx		

 SECRETARY OF THE SENATE
 11 MAR 16 PM 1:56

13092693406

11020095511

FEC
FORM 3

REPORT OF RECEIPTS AND DISBURSEMENTS

For An Authorized Committee

SECRETARY OF THE SENATE
11 MAR 16 PM 12:36

Office Use Only

1. NAME OF COMMITTEE (In full) USE FEC MAILING LABEL OR TYPE OR PRINT Example: If typing, type over the lines

Jack Conway for U.S. Senate

ADDRESS (number and street)

P. O. Box 6168

☐ Check if different than previously reported. (ACC)

Louisville

KY

40206

2. FEC IDENTIFICATION NUMBER

CITY

STATE

ZIP CODE

STATE DISTRICT

C00460766

3. IS THIS REPORT ☒ NEW (N) OR ☐ AMENDED (A)

KY

00

4. TYPE OF REPORT (Choose One)

(a) Quarterly Reports:

- ☐ April 15 Quarterly Report (Q1)
☐ July 15 Quarterly Report (Q2)
☐ October 15 Quarterly Report (Q3)
☒ January 31 Year-End Report (YE)

☐ Termination Report (TER)

(b) 12-Day PRE-Election Report for the:

- ☐ Primary (12P) ☐ General (12G) ☐ Runoff (12R)
☐ Convention (12C) ☐ Special (12S)

Election on

In the State of

(c) 30-Day POST-Election Report for the:

- ☐ General (30G) ☐ Runoff (30R) ☐ Special (30S)

Election on

In the State of

5. Covering Period

11

23

2010

through

12

31

2010

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

Wayne Stratton

Signature of Treasurer

Wayne Stratton

Date

01

24

2011

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. 437g.

Office
Use
Only

FEC FORM 3
(Revised 02/2003)

FESAN018

13092693407

11020093312

United States Senate
Post Office

INSPECTION

U₁

SENATE OFFICE OF PUBLIC R
8330 COLUMBIA PARK
HYATTSVILLE MD

G

20785-3816-30

404-9033

ETP-3

9612019215780115000148 071 07:17 2316810

06-024552
TRACKING NUMBER
U.S. SENATE

Page 1 of 1

From: (502) 583-0248
Marie Johnson
Jones, Nale & Mattingly
642 S Fourth St Suite 300

Louisville, KY 40202

FedEx
Ground



21100012021 000

Ship Date: 10MAR11
Act/Wgt: 1.0 LB
CAD: 3200042/NET3130

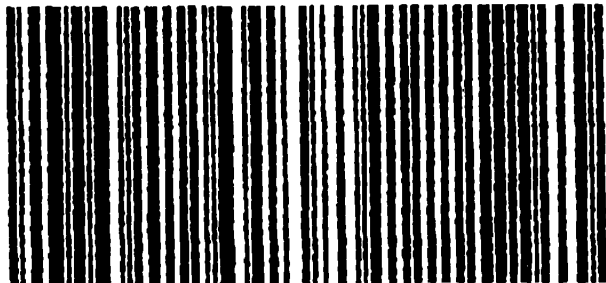
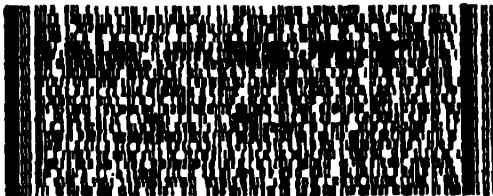
Invoice #
Reference #
PO #
Dept #
Ship ID

SHIP TO: (202) 224-0785

Senate Office of Public Records
Senate Office of Public Records

232 HART SENATE OFFICE BLDG

WASHINGTON, DC 20510



(9612019) 2157338 15000148

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Prepaid

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NANCY ERICKSON
SECRETARY

DANA K. MCCALLUM
SUPERINTENDENT

HART SENATE OFFICE BUILDING
SUITE 232
WASHINGTON, DC 20510-7116
PHONE: (202) 224-0322

United States Senate

OFFICE OF THE SECRETARY

OFFICE OF PUBLIC RECORDS

THE PRECEDING DOCUMENT WAS:

HAND DELIVERED _____

Date of Receipt

USPS FIRST CLASS MAIL _____

Postmark

USPS REGISTERED/CERTIFIED _____

Postmark

USPS PRIORITY MAIL _____

Postmark

DELIVERY CONFIRMATION OR SIGNATURE CONFIRMATION LABEL ☐

USPS EXPRESS MAIL _____

Postmark

OVERNIGHT DELIVERY SERVICE:

SHIPPING DATE

NEXT BUSINESS DAY DELIVERY

FEDERAL EXPRESS

03-10-11

☐

UPS

☐

DHL

☐

AIRBORNE EXPRESS

☐

RECEIVED FROM FEDERAL ELECTION COMMISSION _____

Date of Receipt

POSTMARK ILLEGIBLE ☐

NO POSTMARK ☐

FAX _____

Date of Receipt

OTHER _____

Date of Receipt or Postmark

PREPARER

RD

DATE PREPARED

03-16-11

13092693409

11020093401



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

VIA EXPRESS MAIL

June 29, 2011

R. Wayne Stratton, in his official capacity as Treasurer
Conway for Senate
P.O. Box 6168
Louisville, KY 40206

C00460766
AF# 2414

Dear Mr. Stratton:

On April 1, 2011, the Federal Election Commission ("Commission") found reason to believe ("RTB") that Conway for Senate and you, in your official capacity as Treasurer ("respondents"), violated 2 U.S.C. § 434(a) for failing to file the 2010 Year End Report. The Commission also made a preliminary determination that the civil money penalty was \$4,950 based on the schedule of penalties at 11 C.F.R. § 111.43.

After reviewing the written response and any supplemental information submitted by you and Commission staff, the Reviewing Officer has recommended that the Commission make a final determination in this matter. A copy of the Reviewing Officer's recommendation is attached.

You may file with the Commission Secretary a written response to the recommendation within 10 days of the date of this letter. Your written response should be sent to the Commission Secretary, 999 E Street, NW, Washington, DC 20463. As a result of the anthrax threat in the Washington, DC area, US Postal Service mail delivery to federal agencies, including the Commission, has been interrupted. Until regular mail delivery resumes, you may also file your written response with the Commission Secretary via facsimile (202-208-3333) or by courier at the same address (if you use an overnight delivery service, please use zip code 20004 instead of zip code 20463). Please include the AF # in your response. Your response may not raise any arguments not raised in your original written response or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). The Commission will then make a final determination in this matter.

Please contact me at the toll free number 800-424-9530 (press 0, then press 1660) or 202-694-1660 if you have any questions.

Sincerely,

Dayna C. Brown
Reviewing Officer
Office of Administrative Review

Attachment

13092693410

JNM

Jones, Nale & Mattingly PLC

2011 JUL -8 P 4: 41

July 8, 2011

Commission Secretary
999 E Street, NW
Washington, DC 20463

Re: C00460766
AF #2414

I am Wayne Stratton, Treasurer of the Conway for Senate campaign. This is my written response to the Reviewing Officer Recommendation and Findings. The only fact I dispute is the last paragraph on page 2. I do not recall stating that the year end report was sent separate from other Conway for Senate reports received by the Senate Office of Public Records. I think I said that according to the receptionist at Jones, Nale & Mattingly, the report was sent Federal Express to the Senate Office of Public Records. I have attached 2 affidavits of individuals at JNM supporting that fact.

I think I can explain the delay in responding to the original notice of February 17, 2011. This notice was mailed to the P. O. Box of the campaign. The campaign at that time had shut down and the notice was not received in my office until March 10, 2011. We responded immediately to the notice on the day it was received. I served as Chairman of the Kentucky Registry of Election Finance and take my responsibility as Treasurer very seriously.

I would like to describe our process in the report preparation and mailing of the Conway for Senate reports. We use NGP Software for reporting. Finance reports were prepared by Nick Braden, a paid staffer of the campaign, and e-mailed to myself and Perkins Coie, a Washington DC law firm, for review. Any corrections identified were then made by Nick Braden, and a final copy was e-mailed to me for signature. I have attached his e-mail, dated January 24, 2011, in support of that fact. Paula Pasley then printed and assembled the reports for my signature. I have attached her affidavit in support of that function for the report in question. I previously attached an affidavit of Marie Johnson of JNM who sent the report via Federal Express.

I am not sure what happened, or why the 4th quarter filing was not received timely by the Federal Election Commission, but I do think it was sent by our office timely. The report was prepared timely (see e-mail) and we would have had no reason not to send it timely. Currently I volunteer as Treasurer for 1 congressional campaign (Chandler for Congress), 1 federal PAC (Kentucky Forward PAC), 2 state PAC's, and 1 statewide campaign, none of which has ever had any delinquent filings. I volunteer because I believe in the democratic process and want to do my part. I do take this responsibility seriously.

Certified Public Accountants and Advisors

642 South Fourth Street, Suite 300 Louisville, Kentucky 40202 tel: 502.583.0248 fax: 502.589.1680 www.jnmcpa.com

13092693411

As stated earlier, this was a volunteer position and I received no compensation from the Conway for Senate campaign. As \$4,950.00 is a lot of money to me and my family, I ask that you please abate the penalty.

Thank you for your consideration in this matter.

Very truly yours,



R. Wayne Stratton

RWS/pmp
Enclosures

13092693412



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 27, 2012

MEMORANDUM

SENSITIVE

To: The Commission

Through: *for* Alec Palmer *Am*
Staff Director

From: Patricia Carmona *PC*
Chief Compliance Officer

Dayna C. Brown *DCB*
Reviewing Officer
Office of Administrative Review

Subject: Final Determination Recommendation in AF# 2414 – Conway for Senate and R. Wayne Stratton, in his official capacity as Treasurer (C00460766)

On April 1, 2011, the Commission found reason to believe ("RTB") that the respondents violated 2 U.S.C. § 434(a) for failing to file the 2010 Year End Report and also made a preliminary determination that the civil money penalty was \$4,950 based on the schedule of penalties at 11 C.F.R. § 111.43.

On May 6, 2011, the Commission received their written response ("challenge"). After reviewing the challenge, the Reviewing Officer's recommendation ("ROR") dated June 29, 2010 was forwarded to the Commission, a copy was forwarded to the respondents, and is hereby incorporated by reference. The Reviewing Officer recommended that the Commission make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a \$4,950 civil money penalty because they submitted no evidence that a factual error was made in the RTB finding, that the penalty was miscalculated at RTB or that they used best efforts to file on time. 11 C.F.R. § 111.35(b).

Within 10 days of transmittal of the recommendation, they may file a written response with the Commission Secretary which may not raise any arguments not raised in their challenge or not directly responsive to the ROR. 11 C.F.R. § 111.36(f).

On July 8, 2011, the Commission received the written response from the Treasurer. In response to the ROR's notation that the respondents did not contact the Commission until three weeks after the non-filer notice was mailed to them on February 17, the Treasurer and his assistant, Paula Pasley, state that this was due to the notice having been mailed to the

13092693413

Committee's P.O. Box, which the Treasurer does not have access to. They explain that the notice was not received by the Treasurer's office until March 10 and that they responded immediately. The address disclosed on the Committee's Statement of Organization serves as the Committee's official address of record. The notice was sent to what was, and continues to be the Committee's address of record, as disclosed on their Statement of Organization.

The Treasurer states that the only fact he disputes from the ROR is that he does not recall having told the Compliance Analyst that the Year End Report was mailed separate from the other reports sent via Federal Express on January 25. He states that he thinks he said, according to his receptionist, that the Year End Report was sent via Federal Express. It is, however, the practice of the Reports Analysis Division to document the content of all calls to or from committees regarding any notices they receive or any questions relating to the failure to file reports timely or administrative fine regulations, including due dates of reports and filing requirements.

In his response, the Treasurer describes the Committee's report preparation and mailing process; includes a copy of an email from a paid Staffer indicating that the report was prepared seven days before its due date; and provides a new affidavit from Ms. Pasley who describes receiving, via email, the Year End Report and three additional reports from the Staffer. Ms. Pasley contends that she printed the reports and reviewed them with the Treasurer before providing them to the receptionist, Marie Johnson, for mailing. A copy of Ms. Johnson's affidavit from the original challenge is also included in the Treasurer's response.

Although the respondents provide an explanation of their report preparation and mailing process, and an email asserting that the report was prepared timely, at issue is whether the report was received timely by the Senate Office of Public Records, the point of entry for reports filed by Senate committees. Whereas the respondents contend they mailed, along with other reports, their Year End Report, via Federal Express on January 25, as discussed in the ROR, the Superintendent of the Office of Public Records confirms that the January 25 shipment did not include the Year End Report. The Superintendent states that this shipment contained an Amended October Quarterly Report, three distinct Amended 12 Day Pre-General Reports, and an Amended 30 Day Post-General Report.

Ms. Pasley's affidavit further asserts that the Year Report could have been lost by the Senate Sergeant at Arms, given a conversation she had with Raymond Davis of the Office of Public Records. The Reviewing Officer notes that according to 11 C.F.R. § 111.36(f), the respondents may not raise, in their response to the ROR, any argument not raised in the original challenge. Although this argument was not raised in the original challenge, the Reviewing Officer called Mr. Davis regarding the respondents' contention. Mr. Davis indicated that while the Senate Sergeant at Arms has been tasked with opening all of the Office of Public Records' mail since the anthrax threats in Washington, D.C., following his conversation with the respondents, he spoke with the Senate Sergeant at Arms who confirmed that, as is their process, all of the documents included in the respondents' envelope were forwarded to the Senate Office of Public Records.

The Reviewing Officer, therefore, continues to recommend that the Commission make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$4,950.

OAR Recommendations

- (1) Adopt the Reviewing Officer recommendation for AF# 2414 involving Conway for Senate and R. Wayne Stratton, in his official capacity as Treasurer, in making the final determination;
- (2) Make a final determination in AF# 2414 that Conway for Senate and R. Wayne Stratton, in his official capacity as Treasurer, violated 2 U.s.c. § 434(a) and assess a civil money penalty of \$4,950; and
- (3) Send the appropriate letter.

Attachment

13092693415

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Final Determination Recommendation –) AF 2414
Conway for Senate and R. Wayne)
Stratton, in his official capacity as)
Treasurer (C00460766))

CERTIFICATION

I, Shawn Woodhead Werth, Secretary and Clerk of the Federal Election Commission, do hereby certify that on April 05, 2012, the Commission decided by a vote of 5-0 to take the following actions in AF 2414:

1. Adopt the Reviewing Officer recommendation for AF# 2414 involving Conway for Senate and R. Wayne Stratton, in his official capacity as Treasurer, in making the final determination.
2. Make a final determination in AF# 2414 that Conway for Senate and R. Wayne Stratton, in his official capacity as Treasurer, violated 2 U.S.C. § 434(a) and asses a civil money penalty of \$4,950.
3. Send the appropriate letter.

Commissioners Bauerly, Hunter, McGahn II, Petersen, and Walther voted affirmatively for the decision. Commissioner Weintraub did not vote.

Attest:

April 9, 2012
Date

Shawn Woodhead Werth
Shawn Woodhead Werth
Secretary and Clerk of the Commission

13092693416



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 10, 2012

VIA CERTIFIED MAIL
RETURN RECEIPT REQUESTED

R. Wayne Stratton, in official capacity as Treasurer
Conway for Senate
P.O. Box 6168
Louisville, KY 40206

C00460766
AF# 2414

Dear Mr. Stratton:

On April 1, 2011, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Conway for Senate and you, in your official capacity as Treasurer, violated 2 U.S.C. § 434(a) for failing to file the 2010 Year End Report. By letter dated April 4, 2011, the Commission sent you notification of the RTB finding that included a civil money penalty calculated at RTB of \$4,950 in accordance with the schedule of penalties at 11 C.F.R. § 111.43. On May 6, 2011, the Office of Administrative Review received your written response, challenging the RTB finding.

The Reviewing Officer reviewed the Commission's RTB finding with its supporting documentation and the written response. Based on this review, the Reviewing Officer recommended that the Commission make a final determination that Conway for Senate and you, in your official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty in the amount of \$4,950 in accordance with 11 C.F.R. § 111.43. The basis for the Reviewing Officer's recommendation was included in the Final Determination Report, a copy of which was sent to you on June 29, 2011.

On July 8, 2011, the Commission received your response. On April 5, 2012, the Commission adopted the Reviewing Officer's recommendation and made a final determination that Conway for Senate and you, in your official capacity as Treasurer, violated 2 U.S.C. § 434(a) and assessed a civil money penalty of \$4,950. It is based on the same factors used to calculate the civil money penalty at RTB. A copy of the final determination recommendation is attached.

If You Choose to Appeal the Final Determination and/or Civil Money Penalty

If you choose to appeal the final determination, you should submit a written petition, within 30 days of receipt of this letter, to the district court of the United States for the district in which the committee or treasurer reside, or transact business, requesting that the final

15092693417

determination be modified or set aside. See 2 U.S.C. § 437g(a)(4)(C)(iii). Your failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of the respondents' right to present such argument in a petition to the district court under 2 U.S.C. § 437g. 11 C.F.R. § 111.38.

If You Choose Not to Pay the Civil Money Penalty and Not to Appeal

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701 et seq. If you do not pay this debt within 30 days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within 5 days of the transfer to Treasury, Treasury will contact the debtor and request payment. Treasury currently charges a fee of 28% of the civil money penalty amount for its collection services, and 30% on debts over two years old. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA").

Actions which may be taken to enforce recovery of a delinquent debt by Treasury may also include: (1) offset of any payments, which the debtor is due, including tax refunds and salary; (2) referral of the debt to agency counsel for litigation; (3) reporting of the debt to a credit bureau; (4) administrative wage garnishment; and (5) reporting of the debt, if discharged, to the IRS as potential taxable income. In addition, under the provisions of DCIA and other statutes applicable to the FEC, the debtor may be subject to the assessment of other statutory interest, penalties, and administrative costs.

In accordance with the DCIA, at your request, the agency will offer you the opportunity to inspect and copy records relating to the debt, the opportunity for a review of the debt, and the opportunity to enter into a written repayment agreement.

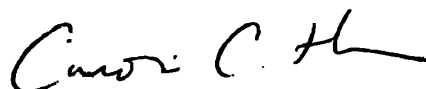
If You Choose To Pay the Civil Money Penalty

If you should decide to pay the civil money penalty, send the enclosed form and payment to the address on page 3 within 30 days of receipt of this letter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. The file will be made a part of the public record pursuant to 11 C.F.R. § 111.42(b). Although the file must be placed on the public record within 30 days from the date of the Commission's notification, this could occur at any time following certification of the Commission's vote.

If you have any questions regarding the payment of the civil money penalty, please contact Dayna Brown on our toll free number (800)424-9530 (press 0, then ext. 1660) or (202)694-1660.

On behalf of the Commission,



Caroline C. Hunter
Chair

Attachment

13092693419

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 C.F.R. § 111.43, the civil money penalty is \$4,950 for 2010 Year End Report.

This penalty should be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission
PO Box 979058
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox
FEC # 979058
1005 Convention Plaza
Attn: Government Lockbox, SL-MO-C2GL
St. Louis, MO 63101

The form and payment are due within 30 days of receipt of this letter.

PAYMENTS BY PERSONAL CHECK

Personal checks will be converted into electronic funds transfers (EFTs). Your account will be electronically debited for the amount on the check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

FOR: Conway for Senate

FEC ID#: C00460766

AF#: 2414

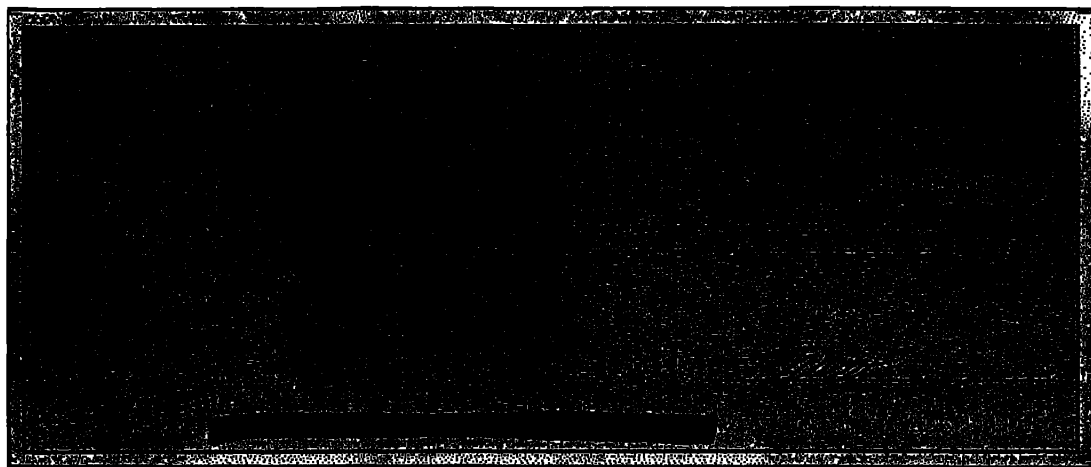
PAYMENT AMOUNT DUE: \$4,950

FEDERAL ELECTION COMMISSION

Lockbox: GLX-979058 Ledger Date 09/20/2013

1309269 **usbank.**

St. Louis GA Lockbox
(314) 425-1818



Batch	Item	TID	Batch Total	Amount
1	2	Y-4380343	\$5,200.00	\$4,950.00



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2414

DATE SCANNED 11-18-13

SCANNER NO. 2

SCAN OPERATOR cmP

13092693421